

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

IN RE THE MEETING OF THE )  
CALFED BAY-DELTA PROGRAM )  
\_\_\_\_\_)

ORIGINAL

TRANSCRIPT OF PROCEEDINGS

Chico Community Center  
545 Vallambrosa Avenue  
Chico, California 95926

Wednesday, September 15, 1999

REPORTED BY: GAIL BLANKENSHIP, CSR NO. 3980, RPR

\_\_\_\_\_  
PORTALE & ASSOCIATES DEPOSITION REPORTERS  
211 East Weber Avenue  
Stockton, California 95202  
(209) 462-3377

1 IN RE THE MATTER OF THE )  
2 CALFED BAY-DELTA PROGRAM )  
3 \_\_\_\_\_)

4  
5 ----o0o----

6  
7 Chico, California, Wednesday, September 15, 1999

8 ----o0o----

9  
10  
11 The following proceedings were taken in the  
12 above-entitled matter on Wednesday, September 15, 1999,  
13 commencing at the hour of 7:00 o'clock p.m. at the  
14 Chico Community Center, 545 Vallambrosa Avenue, Chico,  
15 California, before GAIL BLANKENSHIP, RPR, CSR, a  
16 Certified Shorthand Reporter of the State of  
17 California, having offices located in Redding,  
18 California.

19 ----o0o----

1 APPEARANCES:

2  
3 ALF BRANDT, Department of the Interior

4 STEVE SHAFFER, Department of Food &  
5 Agriculture

6 KATHY KELLY, Department of Water Resources

7 TERESA PACHECO, United States Corp of  
8 Engineers

9 LUANA KIGER, National Resource Conservation  
10 Center

11 MIKE FOOTTS, US EPA

12 NANCY WERDEL, Western Area Power  
13 Administration

14  
15 Also Present:

Members of the public

16  
17  
18  
19 ---o0o---

1 (All parties present, the following proceedings were at  
2 at 7:00 o'clock p.m.)  
3

4 The following proceedings were had, to wit:  
5

6 MR. BRANDT: Good evening, I want to  
7 thank you all for coming here. My name is Alf Brandt.  
8 I'm a lawyer with the Department of the Interior, one  
9 of the agencies of CALFED. I'm going to ask some of  
10 the other members of CALFED agencies to join me up  
11 here. I will be sort of running the meeting,  
12 basically, and they are here to listen.

13 I want to emphasize how important it is  
14 that all of you showed up. We had some very good  
15 attendance at these hearings, and this is a key part.  
16 This portion is a key part of forming and shaping any  
17 effective programs, so I want to thank you for taking  
18 the time to come out tonight.

19 Let me run through a couple of things.  
20 First of all, let me introduce who just joined me.

21 First of all, let me start on my right,  
22 your left, and we'll work this way. First is Steve  
23 Shaffer, from the California Department of Food and  
24 Agriculture.

25 Next is Kathy Kelly, that's right here.

1 Kathy Kelly is from the Department of Water Resources  
 2 for the State of California.  
 3 Next is Theresa Pacheco, who is from the  
 4 United States Corp of Engineers.  
 5 Luana Kiger is from the National Resource  
 6 Conversation Service, which is part of the United  
 7 States Department of Agriculture.  
 8 Next is Mike Foots, who is from the US EPA.  
 9 And finally we had Nancy Werdel, who  
 10 represents the Western Area Power Administration.  
 11 These are members of the policy group which  
 12 is more or less the deciding group that is going to be  
 13 making these decisions. And they are here to listen to  
 14 hear what your concerns are and what some of your  
 15 issues are.  
 16 We're glad to have this many people.  
 17 Actually, this is quite a good turn out from the agency  
 18 side to make sure that we are here. I'm glad to see we  
 19 got such a great turn out from the public side as  
 20 well. So, let me run through a couple of rules here.  
 21 How we're going to make this happen and get through  
 22 this.  
 23 We've got something along the lines of  
 24 what, 80 speakers on tonight. We've got quite a bit to  
 25 go and with that many speakers it's going to be

5

1 necessary, as it has been at every hearing, to limit  
 2 the time you have to speak to three minutes.  
 3 Now, the way that will -- when you're up  
 4 here speaking, you'll be helped by this little light in  
 5 here. When you start speaking, it will go green. When  
 6 you have one minute left, it will go yellow, and when  
 7 your time is up, it will go red. And basically at that  
 8 point I'd ask that you finish up the sentence you're on  
 9 and move on to the next speaker.  
 10 But let me say that's not the end of your  
 11 comments. There are two ways you can make comments  
 12 here tonight, or any other time, before September  
 13 23rd. One is by addressing us here tonight. And all  
 14 of the comments that will be made orally tonight will  
 15 be taken down by the Court Reporter, who is sitting  
 16 over here on your left. They will be taken down and  
 17 they will be formal -- there will be a formal response  
 18 that will show up in the response to comments.  
 19 So you have either option. So if you don't  
 20 finish what you have to say tonight, that doesn't mean  
 21 that's the end of your opportunity. You still of an  
 22 opportunity, and we welcome written comments sent in.  
 23 You can do that either by -- actually, there is a form  
 24 in the back that provides a simple form and easy way to  
 25 fill out additional comments or anything else you want

6

1 to add.  
 2 Perhaps you don't want to speak tonight and  
 3 just present something short and written, or very long  
 4 and written. That's your choice. It's welcome up to  
 5 September 23rd.  
 6 Oh, and I think that's about it. The last  
 7 thing I'll say is I'm going to read three names and the  
 8 reason is, that's to keep things moving. We've saved a  
 9 couple of chairs right up here in front. So once I  
 10 read your name, if you could move up at the same time  
 11 as the speaker moves forward, move up to these chairs  
 12 so as soon as it's your turn, you're right there at the  
 13 mike and we can keep these things moving tonight,  
 14 because we do have quite a number of speakers.  
 15 So starting on that note, the first three  
 16 will be Steve Evans, Mike Smith, and Lynn Barris.  
 17 Start with Steve Evans.  
 18 MR. EVANS: Good evening, my name is  
 19 Steve Evans. I'm Conservation Director for Friends of  
 20 the River. Not surprising, I think Congressman Herger  
 21 set off the sort of temporary loose meeting by talking  
 22 about how we need to build more dams on more rivers.  
 23 And I just wanted to mention that I don't think that's  
 24 CALPED'S -- should be CALPED'S goal. I don't think  
 25 that CALPED can restore an ecosystem that has been

7

1 damaged by a massive system of dams and diversions by  
 2 building yet more dams and diversions.  
 3 Let's think about what we're doing today.  
 4 The legislature has sent a to billion dollar water bond  
 5 to Governor Gray Davis, which, if he signs it, goes on  
 6 the March ballot. That two billion dollar water bond  
 7 will create an additional million acre feet of water  
 8 supply.  
 9 That's a good size reservoir. A million  
 10 acre feet of additional water supplies in the state  
 11 without building a single dam. That's the kind of  
 12 thing that CALPED needs to concentrate on more  
 13 efficiently using our existing water supplies to both  
 14 benefit water users and benefit the environment.  
 15 I don't think CALPED should pursue any  
 16 additional water storage, particularly the so-called  
 17 off-stream projects in the Sacramento Valley.  
 18 Off-stream makes it sound like it's environmentally  
 19 friendly, but in fact, they aren't.  
 20 The Sites (phonetically) Project, a billion  
 21 dollar project, would destroy over 14,000 acres of  
 22 wildlife habitat, and at certain times of the year,  
 23 divert more than 50 percent of the flow of the  
 24 Sacramento River to fill it up. That's going to cause  
 25 tremendous ecological damage. So off-stream storage is

8

1 not the solution.

2 At the same time, CALFED needs to  
3 concentrate on redoubling its restoration efforts.  
4 There is a lot of talk about removing dams. Four dams  
5 on Butte Creek were removed, but the mechanism for that  
6 started before CALFED even began, and the people who  
7 started that process should be well congratulated. But  
8 CALFED itself needs to start looking at removing dams.

9 Some of the top dam targets that should be  
10 considered for removal that impede or block salmon  
11 migration include Eagle Canyon Dam on Battle Creek,  
12 McCormick Seltzer Dam on Clear Creek, Cleff Dam  
13 (phonetically) on Mill Creek, the Butte Creek and  
14 Centerville Head Dams on Butte Creek and Englebrighten  
15 to Gearpoint Dams (phonetically) on the Yuba River Dam  
16 removal could go a long ways towards restoring some of  
17 the 680 miles of habitat that have been permanently  
18 blocked by other dams in the state.

19 Efficiency, water use efficiency is going  
20 to be the key. I just want to end with -- plant an  
21 idea in everybody's head. Up here in Northern  
22 California you hear a lot about all those people in LA  
23 use all our water.

24 In fact, the regions that use most of the  
25 water in this state are the San Joaquin Valley and

9

1 but rather contracted year to year. Our vision, of  
2 course, is across the Sierra and the Owens Valley,  
3 where long-term guaranteed contracts were shipped  
4 outside the area, and obviously, we don't want that to  
5 occur here.

6 Secondly, key criteria for water quality  
7 should be established by engineering study and subject  
8 to public input. Under no circumstances should a small  
9 local board or commission, which would likely become  
10 dominated by water sellers, be allowed discretion over  
11 any decision which would adversely affect water quality  
12 in the area.

13 And our concern here is that as the thing  
14 boils down, I've heard a number of the people from  
15 CALFED indicate that they are going to kind of put it  
16 all over on local political action, and surely  
17 ultimately that has to be. But there has to be some  
18 key criteria here that the water quality can't be  
19 degraded.

20 And lastly, if it is necessary to increase  
21 the storage capacity of the region, then the preferred  
22 method is to restore upper watershed and forest health,  
23 which will provide increased natural storage  
24 capacities, which have been damaged by indiscriminate  
25 logging and foraging practices.

11

1 Sacramento Valley. They are the first and second  
2 heaviest users. So we have to more efficiently use  
3 water here and not blame other people in other parts of  
4 this state. Thank you.

5 MR. BRANDT: Next speaker will be  
6 Mike Smith, Lynn Barris and Mike Wade.

7 MR. SMITH: Good evening, my name is  
8 Mike Smith. I represent the local group of the Sierra  
9 Club. We have eleven hundred members in Butte County  
10 and Tehama. Primarily Butte, Tehama, and Glenn.

11 And I'm going to read from sections of our  
12 position paper that we voted on as a group, and then  
13 make a couple of comments. I'll just read  
14 selectively.

15 If water is transferred outside its natural  
16 water basin, every transfer should meet the following  
17 criteria. No harm to the source aquifer or surface  
18 waters, either as to levels or stream flows and there  
19 should be no degradation in water quality.

20 Basically, we're saying that the area of  
21 origin guarantees need to be written into the  
22 contract. You need -- obviously it's a matter of  
23 numerous, complex laws, but area of origin concerns are  
24 paramount here.

25 Secondly, no transfers should be long-term

10

1 And here we agree with the Environmental  
2 Impact Statement, that first these upper watershed  
3 issues need to be dealt -- over a period of years, the  
4 watershed needs to be restored. And then see what  
5 those flows are, and see if some of the demands that  
6 are occurring in Southern California are actual, and  
7 then begin considering off-stream and aquifer mining.  
8 Thanks.

9 MR. BRANDT: Thank you, Mr. Smith.  
10 Lynn Barris, Mike Wade and Steven Butler.

11 MS. BARRIS: Hello. I'd like to say  
12 I'm a farmer here in Butte County. My husband and I  
13 manage about six hundred acres of almonds and own two  
14 small farms. I'd like to read.

15 CALFED has not even come close to  
16 developing adequate rules regarding water transfers for  
17 conjunctive use. Why? Because willing buyers and  
18 sellers will not look at protections for third parties  
19 and the environments of the exporting regions.

20 We heard Mike talking about it today. This  
21 has been going on for years. Nobody will actually talk  
22 about it, no one will write plans. There are no  
23 protections.

24 Local control is not a protection in areas  
25 like Butte County when water sellers make the rules and

12

1 environmental concerns are disregarded with no  
2 discussion. The old style of water management is no  
3 longer acceptable. We have over 25 endangered enlisted  
4 species of plants and animals that depend on a healthy  
5 ground water level to exist.

6 CALFED completely overlooks terrestrial  
7 habitats. I don't think you'll find them in the  
8 documents on anything to do with conjunctive use or  
9 water transfers.

10 We need to use the valley oak as an  
11 indicator species. They need a healthy ground water  
12 level to survive, and these listed and endangered  
13 species need the valley oak, and that is their  
14 habitat.

15 CALFED'S draft documents do not adequately  
16 reflect or model the full potential for water  
17 conservation and efficiency to meet California's water  
18 needs. Many Central Valley urban areas, such as  
19 Sacramento and Fresno, do not require metering of water  
20 and volume-based water rates. Simply measuring and  
21 charging for water by volume greatly reduces waste, and  
22 selling water meters in the City of Sacramento, a  
23 measure currently prohibited in the City Charter, would  
24 save as much water as produced by a 555-foot high  
25 Auburn Dam on the American River.

13

1 Central Valley agriculture remains the  
2 largest user of developed water and ground water in the  
3 state. Better irrigation efficiency could yield  
4 345,000 to 1.7 million acre feet of water. Foulings of  
5 marginal and toxic soils, particularly in the San  
6 Joaquin Valley, could yield 425,000 to 2.1 million acre  
7 feet of water.

8 We've only begun to tap the potential and  
9 urban water conservation with efficient home fixtures,  
10 reducing water use for landscaping, and water  
11 recycling. CALFED assumes agriculture can only  
12 conserve one to three percent of the water they are  
13 currently applying to crops, when demonstration  
14 projects and innovative farmers of shown savings  
15 possible of up to 25 percent, while getting the same or  
16 higher crop yields. Conservation can be less expensive  
17 and does not harm the environment.

18 Overall, CALFED is aggressively -- thank  
19 you. I'll end. I could go for hours.

20 MR. BRANDT: Thank you, Ms. Barris.  
21 Mike Wade, Steve Butler, and Bob Koshnan.

22 MR. WADE: Thank you. My name is  
23 Mike Wade, Executive Director for the California Farm  
24 Water Coalition.

25 New water storage projects are an essential

14

1 part of California's future, if we are to meet the  
2 needs of the expected fifteen million new residents in  
3 the next 25 years, without sacrificing the state's  
4 agriculture industry.

5 Conservation is important. Farmers have  
6 been practicing it for years and continue to lead the  
7 world in production efficiencies. Water transfers can  
8 be an effective tool in certain circumstances, but they  
9 are not the only answers to all of the state's water  
10 supply problems.

11 We're benefiting from the planning and  
12 leadership of previous generations. We owe it to  
13 future Californians to build on the past, make tough  
14 leadership decisions, and be willing to pay for the  
15 projects that are needed.

16 There is a great hue and cry about surface  
17 forest projects because of their detriment to the  
18 environment. To the contrary, these projects can be  
19 developed and constructed in a manner such as San Luis  
20 Reservoir, off-stream and away from areas of important  
21 environmental resources.

22 There comes a time when you have to draw a  
23 line between sensitivity and sensibility. If we're  
24 going to preserve water rights and the rural lifestyle  
25 of Northern California, we have to plan now for the

15

1 inevitable growth and increased demand on resources in  
2 other parts of the state. CALFED must exercise its  
3 adaptive management approach now, not in seven years,  
4 and put some real projects back on the table that will  
5 guarantee California's future prosperity, just as the  
6 leaders did for our benefit a half century  
7 agriculture.

8 CALFED cannot fix the Delta on the backs of  
9 family farmers, ranchers, and the people in this state  
10 who rely on agriculture for their livelihood. Thank  
11 you.

12 MR. BRANDT: Steven Butler, Bob  
13 Koshnan and Karen Laslo.

14 MR. BUTLER: My name is Steven  
15 Butler. I'm the President of the Orland Unit Water  
16 Users. I'm representing over 25,000 acres of irrigated  
17 agricultural land.

18 Funding for surface storage should be  
19 proportionate to that of conveyance. Proof that  
20 alternative surface water supplies are not being  
21 explored in a proportionate manner to that of  
22 conveyance is illustrated in stage one, cost estimates,  
23 on page 145 of the revised phase to report.

24 That conveyance component is allocated  
25 nearly one billion dollars, while storage is allocated

16

1 three hundred seventy million. Of that three hundred  
2 seventy million, three hundred million is targeted for  
3 north and south of Delta water studies. This leaves a  
4 mere seventy million for storage components.

5 Upon examination of footnote four, this  
6 seventy million is dedicated to integrated storage,  
7 investigation, and related planning and feasibility  
8 work. Only seventy million is allocated for integrated  
9 storage, related planning, and feasibility work as  
10 opposed to nearly one billion of conveyance.

11 This disparity is proposed -- and proposed  
12 funding only worsens in integrated storage  
13 investigation includes seven areas: Comprehensive  
14 planning, north of Delta off-stream storage  
15 investigation, on stream storage enlargement  
16 investigation, in Delta and off aqueduct storage  
17 investigation, ground water conjunctive use  
18 investigation, hydro facilities investigation, fish  
19 barrier removal investigation.

20 How far will seventy million go in the  
21 development of new storage -- surface storage when only  
22 three of those seven areas are involved in developing  
23 new surface storage. Again, I reiterate, funding for  
24 surface storage should be proportionate to that of  
25 conveyance. Thank you.

17

1 lots of food. And that's the way it's been for  
2 thousands of years.

3 Look at Lancaster Valley just north of Sac  
4 -- LA. They used to grow food there for the people,  
5 but LA took the water. Now there is irrigation pipes  
6 sticking up in the fields and no food being grown.

7 You try for that, no water, no food.  
8 Caltrans are building roads because they have the  
9 foresight to see there is more people. Developers are  
10 building more homes because they see the foresight,  
11 there is more people. School districts are building  
12 more schools, because they see the foresight, more  
13 people.

14 You people need to have the foresight to  
15 see that you need more food to feed all these people  
16 and a terrorist couldn't do more damage to this country  
17 if you take the food away from those that are growing  
18 the food for the people.

19 Prior to the Pearl Harbor attack, there was  
20 a fishing boat that called out and said that Japanese  
21 war planes were heading toward Hawaii. Prior to the  
22 Battle of the Bulge in World War II those that were in  
23 charge were told the Germans were building up forces  
24 nearby. In all those -- both these cases, those that  
25 were in charge didn't listen. They shrugged it off and

18

1 MR. BRANDT: Bob Koshman, Karen Laslo  
2 and Helen Ost.

3 MR. KOSHMAN: I'm Bob Koshman. We  
4 grow food for the people to eat. We're in the Pleasant  
5 Grove area 30 miles north of Sacramento. And we  
6 have -- we irrigate 600 acres of our two thousand acre  
7 ranch. I need more water, not less water. Please do  
8 not destroy America's ability to feed its people.

9 Have you ever seen a country where the food  
10 is not very much of it and it's very expensive? My  
11 grandson is seven years old. In 16 years he'll be  
12 where he'll start to have a family.

13 The experts say in the year 2025 or 25, the  
14 population is going to be doubled. Your fathers and my  
15 fathers built -- they had the foresight to build  
16 canals. They knew that our families would need lots of  
17 water to grow food. So they built these dams and  
18 canals, and now you people are about to change that.  
19 You people do not of the foresight to pass on that  
20 enjoyment that lots of food that we've had at low cost,  
21 pass it on to our children and grandchildren, and  
22 that's a shame.

23 You can contact any college and you will  
24 see it takes water to grow food. No water, no food;  
25 little bit of water, little bit of food; lots of water,

18

1 thousands of Americans died.

2 You people are about to do the same thing.  
3 So listen to the farmers. They are trying to tell you  
4 something. They are growing food. Listen to them.  
5 They are telling you something. The government in  
6 China has passed the laws, it's a death penalty to  
7 build on agricultural land without going through a very  
8 difficult permit system. Can you think -- they think  
9 it is so important to grow food for the people,  
10 environmentalists will probably think that is a foolish  
11 policy.

12 If you have grandchildren, surely, please,  
13 do not destroy America's ability to feed its people.

14 I have four suggestions, and hope I've got  
15 time. It will save you lots of water.

16 MR. BRANDT: Mr. Koshman, I look  
17 forward to seeing those in the written comments. Thank  
18 you. Karen Laslo, Helen Ost, and Sue Sutton.

19 MS. LASLO: Hi, my name is Karen  
20 Laslo, and I don't have any statistics or anything. I  
21 live here in Chico, and I've been following this issue,  
22 you know, as much as I can. And what I think is that I  
23 don't think a few people should be able to profit from  
24 water that belongs to all of us. I don't think that  
25 our water here in Butte County should be sold just for

25



1 the boiled frog theory. And we people here in the  
2 northstate see it and don't want it. Thank you very  
3 much.

4 The payment in lieu of taxes need to be  
5 paid. Am I done? No.

6 MR. BRANDT: No.

7 MS. SUTTON: The payment in lieu of  
8 taxes need to be paid before the people in our county  
9 want any more things to happen, as far as the habitat  
10 conversion. The government is not meeting its  
11 obligations today. Why should we think it's going to  
12 meet its obligations in the future?

13 The environmental water count is  
14 intrinsically flawed. We give the environmentalists  
15 so-called an allowance. No matter how much allowance,  
16 they want more because, they are going to say this  
17 species or that species is an indicator species, and we  
18 need more water, and we can get it through the  
19 Endangered Species Act, and we can get it through the  
20 Clean Water Act. So no matter how much you give them,  
21 they have the regulatory power within their hands to  
22 come back for more. This is a major flaw in the  
23 environmental water count.

24 Water efficiency part of it said, implies  
25 if you go along, you get along, your water rights are

25

1 accessing publicly owned advanced facilities, and we  
2 are the sponsor of SB 506, the bill to clarify and  
3 implement California's water vending statutes. We  
4 believe that voluntary water transfers are an integral  
5 part of a long-term solution. Other CALFED programs,  
6 such as the environmental water count, storage,  
7 conveyance, and conjunctive use will be harmed without  
8 a fully functioning water market.

9 We have three suggestions. I'll propose  
10 them and then I'll go into a real world example.

11 Suggestion One: Clarify and accelerate the  
12 water transfer element. Two --

13 MR. BRANDT: Slower.

14 MR. YOLLES: We have three  
15 suggestions for CALFED regarding the CALFED transfer  
16 element.

17 Suggestion one, clarify and accelerate  
18 water transfer element.

19 Two, reinstate CALFED'S commitment to  
20 develop internal transfer rules and, three, increase  
21 agency support for the water transfer element and  
22 teamwork implementation.

23 I'd like to describe to CALFED and to other  
24 Northern California water users a real world example to  
25 illustrate the purpose of these points. Natomas

27

1 held in higher esteem than those who can't or don't go  
2 along with water deficiency.

3 Gentlemen and ladies, that is coercion and  
4 it is a form of blackmail.

5 MR. BRANDT: You have about 30  
6 seconds.

7 MS. SUTTON: Area of origin needs to  
8 be upheld. We need to make sure that all habitat land  
9 converted conforms to SEQUA, and finally, CALFED cannot  
10 usurp any of the local land use policies and local  
11 county authority. Thank you very much.

12 MR. BRANDT: Peter Voller, Morris C.  
13 Walters, and Don Cecil.

14 MR. YOLLES: Good evening, my name is  
15 Peter Voller. I'm here representing the Natomas  
16 Central Mutual Water Company and Western Water  
17 Company.

18 Western Water Company, for a little  
19 background, acquires, develops, and markets water  
20 throughout the State of California and the Western  
21 United States. Our customers include urban water  
22 districts, agricultural users, and environmental  
23 agencies.

24 Western Water is the first private company  
25 to complete a voluntary agricultural to urban transfer

26

1 Central Mutual Water Company has invested heavily in  
2 conservation techniques that of achieved significant  
3 water savings.

4 Western Water is in partnership with  
5 Natomas Central to help them achieve value from their  
6 existing water rights.

7 Natomas Central has petitioned the State  
8 Water Resources Control Board for the right to transfer  
9 this conserved water under water code section 1011.  
10 Natomas Central is now awaiting the action of the State  
11 Water Resources Control Board to approve a request of a  
12 one-year transfer of 14,000 acre feet of conserved  
13 water. The methods used to achieve this savings were  
14 through weed control, laser leveling and others. The  
15 proposed transfer supported by Northern California  
16 Water Users Associations, California Farm Bureau, and  
17 the San Joaquin River Exchange Contractors, among  
18 others.

19 This transfer would allow the small water  
20 company to recoup their cost of conservation and to  
21 retain their right to water they invested to conserve.  
22 But these benefits to Natomas Central and the incentive  
23 to conserve more water in the future is at risk. Why?  
24 Objectors to this transfer include the Bureau of  
25 Reclamation and DWR. Yet the Bureau and DWR are

28

1 participating agencies in the CALFED process that  
2 supports water transfers, and indeed depends on  
3 transfers to implement the program elements. We are  
4 waiting to hear what the State Water Resources Control  
5 Board says about the ownership of conserved water, an  
6 issue that should be of major interest to CALFED and  
7 all water users in the Sacramento Valley.

8 MR. BRANDT: Let's finish your  
9 sentence.

10 MR. VOLLES: My sentence? Thank you.  
11 These water users are being told that  
12 conservation is the key to better water management in  
13 California, but they must wonder who will be the  
14 beneficiary of that conserved water; the state and  
15 federal projects, or the water rights holder. Thank  
16 you.

17 (Pause in proceedings.)

18 MR. BRANDT: Morris Walters, Don  
19 Cecil and Ray, I think it's Gollnick.

20 MR. WALTON: My name is Morris C.  
21 Walton, like John Boy?

22 MR. BRANDT: I understand. I get it.  
23 I apologize.

24 MR. WALTON: That's all right. I got  
25 just a small paragraph here to read. And I belong to

28

1 due to overflows of irrigation water in the upper  
2 Colusa Basin.

3 The district is situated in Colusa and  
4 Glenn Counties and includes practically all of the  
5 upper Colusa Basin from approximately the town of  
6 Artois on the north to just south of Colusa. The  
7 district is approximately 38 miles in length with an  
8 average width of 11 and a half miles and covers an area  
9 of approximately 225,000 thousand acres. It is  
10 estimated at least half these acres is planted with  
11 rice, and the remainder in vegetable crops and  
12 orchards.

13 In keeping with your time line, we'll make  
14 these brief comments. One, the adaptive management  
15 concept. There are too many assumptions in the CALFED  
16 documentation, which CALFED appears to make because of  
17 its chosen the adaptive management approach or trial  
18 and error. Comments like A., Dam removal will produce  
19 considerable ecologic benefits. B. Broad-based and  
20 unspecified water diversion and use fees will finance  
21 CALFED'S current finance estimates of over five  
22 billion. C. Recovering for ESA list of species of  
23 fish will only be possible if there is a reallocation  
24 of water for environmental purposes.

25 Two, storage. Why does CALFED refuse to

31

1 the Water Board, on the Water Board in Orland, water  
2 users. And I've got my little part here.

3 And it says, Conditions are apparent in  
4 that the Preferred Alternative contains elements such  
5 as the environmental Water Account and Permit --  
6 Permitting Process, which can only be effectively  
7 implemented on a regional or statewide level.

8 Consequently, there is neither meaningful  
9 protection for local interests or local control of  
10 development projects, which appear to be more lip  
11 service when set forth in the current proposal.

12 With respect to water transfers, the  
13 preferred alternative should address a priority of  
14 rights which should be as follows: Intra-basin  
15 transfer first. Like-kind, use transfers such as  
16 prefers Agriculture-to-Agriculture transfers before  
17 transferring to a different kind of use. Thank you.

18 MR. BRANDT: Thank you, Mr. Walton.  
19 Don Cecil, Ray Gollnick and Don Heffren.

20 MR. CECIL: Good evening, ladies and  
21 gentlemen, my name is Donald Cecil. I'm a farmer and  
22 president of the Board of Directors of Reclamation  
23 District 2847. RD 2847 was formed in 1919 -- too fast?  
24 Okay. RD 2846 was formed in 1919 for the purpose of  
25 developing drainage facilities to alleviate flooding

30

1 admit that California needs more water storage, given  
2 CALFED'S projections of 47.5 million people in this  
3 state by the year 2025 and continued environmental  
4 demands for in-stream uses.

5 Three, the priority system. How can the  
6 State Water Resources Control Board, as a member of  
7 CALFED, decide to reallocate water supplies for  
8 environmental usage in Phase 8 with the Bay-Delta  
9 hearings, yet continue to support and advocate  
10 voluntary conjunctive use programs in the Sac Valley.

11 Four, the beneficiary pays. CALFED says  
12 beneficiary pays, but doesn't tell us who the  
13 beneficiaries are of CALFED program. Is it all the  
14 thirty-four million people in California, or is it just  
15 the land owners and the water users.

16 Ground water. Please explain how CALFED  
17 avoids providing additional real water supplies from  
18 productive ground water basis unless it immediately  
19 starts construction of surface water storage  
20 facilities.

21 Five -- six, the human factor. Finally,  
22 reallocating water from agriculture to environmental to  
23 in-stream use disrupts rural California by, A.,  
24 displacing workers in communities; B., eliminating  
25 small retail businesses, depending on agriculture for

32

1 work, and encourages changes in agricultural use to  
2 urban development. Thank you, and we will submit it.  
3 MR. BRANDT: Thank you, Mr. Cecil,  
4 and we'll look forward to seeing those comments in  
5 writing.

6 Ray Gollnick, before you get started, for  
7 the people in back, there are some seats over her on  
8 your left right up here in front. So I'd encourage you  
9 to come on up here and join us. There's a few over  
10 here as well, on your right as well. So come on down  
11 the sides and join us up front. Mr. Gollnick, go  
12 ahead.

13 MR. GOLLNICK: Are we ready?

14 MR. BRANDT: Go ahead.

15 MR. GOLLNICK: Good evening. My hope  
16 is to give you a little history of the west side, which  
17 is Glenn County and the surrounding west side there. I  
18 am Ray Gollnick, member of the Board of Directors of  
19 the Orland Union Water Users Association of Orland. I  
20 have been involved in agriculture my entire life in  
21 Glenn County.

22 In 1916, my grandparents owned a small farm  
23 on the west side of the Sacramento River near Ord Bend.  
24 In the early twenties they built their home on the  
25 highest ground on the farm to survive the yearly

33

1 flooding season that occurred during the winter and  
2 spring months before Shasta Dam was built.

3 After several years of having their crops  
4 flooded, they decided to get as far away as possible  
5 and purchased a small ranch in the Stoney Fort area,  
6 which was irrigated by East Park Reservoir, built in  
7 1913.

8 During this period, my dad had finished  
9 high school at Willows and began farming in the Elk  
10 Creek area. The Willows Bank of America manager got to  
11 know my dad and proposed he take over farming several  
12 foreclosed-on homesteads in the old Fruiter Ranch  
13 Valley near Elk Creek. No principal, and interest at  
14 one and a quarter percent. How could he go wrong?

15 In 1926, the Bureau of Reclamation and the  
16 Orland Water Users Association purchased several  
17 hundred acres from him and others and built Stoney  
18 Gorge Dam, finished in 1928, to increase the acreage  
19 and dependability of water for the 25,000 acres of the  
20 Orland Unit Water Users Project.

21 In 1948 we purchased acreage in the Lake  
22 District of the Orland Water Users Project and moved to  
23 Orland, and have been farming this ground ever since.

24 In 1966, a movement began to build Black  
25 Butte Dam as a dual-purpose project. In 1964, Black

34

1 Butte Dam was completed by the Army Corps of Engineers  
2 as a very successful multipurpose-use structure.

3 Black Butte, as well as Stoney Fort Dam and  
4 East Park Reservoir continue today, and in the future  
5 as a great asset for irrigation, electric generation,  
6 recreation of all types, and flood control.

7 My reason for stating this little bit of  
8 history is to point out the forward thinking, planning,  
9 hard work and sacrifice of our predecessors that of all  
10 accomplished this for our benefit.

11 MR. BRANDT: Mr. Gollnick --

12 MR. GOLLNICK: There is only one  
13 answer to our tremendous need for more water in this  
14 state. As previous generations have done --

15 MR. BRANDT: Mr. Gollnick, your time  
16 is up.

17 MR. GOLLNICK: -- we must of new  
18 storage without fail in California, if it is to grow  
19 and prosper. Thank you.

20 MR. BRANDT: Thank you. Don Heffren,  
21 George Wilson and Rick Massa, I believe? Don Heffren,  
22 George Wilson and Rick Massa.

23 MR. HEFFREN: Good evening, ladies  
24 and gentlemen, my name is Don Heffren, and I'm the  
25 Chairman of Butte Basin Water Users Association. Butte

35

1 Basin is a volunteer organization made up of public  
2 agencies, private water companies, water districts,  
3 municipals, such as the County of Butte. Our comments  
4 will be brief. We have sent you a letter on September  
5 13th of 25 pages on your comments, on your forty-seven  
6 hundred pages.

7 We have seven brief points that we would  
8 like to point in this short term. There are some  
9 questions that we would like answered by CALFED. Our  
10 comments of Phase I were not answered, and we would  
11 like these answered.

12 We find your environmental document weak in  
13 the area of declaring water users fees and diversion  
14 fees. Who will pay? Will all of the citizens of Chico  
15 pay through their Cal water bills, or will they pay on  
16 their ground water that they pump on their farms? Who  
17 will pay?

18 The beneficiaries. That is an important --  
19 is this just a D-1613 decision that's coming around the  
20 back door? We want that answered.

21 Who is the beneficiary? Number two? We  
22 feel that the document is weak in describing the  
23 beneficiaries. Is the beneficiary of the Bay-Delta,  
24 the five counties that encompass the Bay-Delta, or is  
25 it the whole state? What is the beneficiaries? Your

36

1 document is weak in that area.  
2 Conserved water and water transfers. Our  
3 group strongly believes in that the water transfer  
4 should have the no-injury rule on the land owners that  
5 are outside of the transferring body.

6 We would also like to say that this water  
7 is going to be fairly expensive by the time you  
8 mitigate for third-party impact, so storage might be  
9 something that should be looked at.

10 Conserved water. In the eyes of most  
11 Northern California water purveyors, is that there is  
12 no conserved water in agriculture north of the Delta.  
13 It all eventually runs to the Delta and flushes the  
14 salt out.

15 The conservation. And in the past, the way  
16 the current document is written, your conservation as  
17 written, rewards those who of squandered water in the  
18 past and not for the good practices.

19 As mentioned before, water storage.  
20 That -- everybody said that.

21 Adaptive management is management by trial  
22 and error. And the return to nature approach of this  
23 document scares us quite a bit. Previous speaker  
24 mentioned on page A-5 of the appendix, why -- how can  
25 the State Water Resources Control Board be involved in

37

1 report on ground water development studies North  
2 Sacramento Valley, June 1976, by the Department of  
3 Water Resources. Much of this data is incorporated in  
4 the CALFED process. The report states that it is  
5 preliminary and based on assumptions that will have to  
6 be verified.

7 The first statement that bothered me was on  
8 page one, which I'll read, the bottom paragraph. Says,  
9 Direct export of ground water involves some legal  
10 complications. However, exporting of ground water from  
11 a basin is not without precedent.

12 The Los Angeles Department of Water and  
13 Power, for example, has over three hundred wells in the  
14 Owens Valley which pump ground water into Los Angeles  
15 aqueduct which take water out of the basin.

16 The report states, on page 23, for the  
17 Stoney Creek Fan, nearly seven million acre feet are in  
18 storage. Table three on page 23 indicates that by  
19 lowering the ground water level from 25 feet to 55  
20 feet, 568,888 acre feet would be available for export.

21 The following year, 1977, ground water  
22 levels dropped more than 55 feet with no exports.  
23 Stoney Creek is the major contributor to the ground  
24 water recharge within the Stoney Creek Alluvial Fan.  
25 The average runoff for Stoney Creek is 396,888 acre

39

1 this hearing when they say, and I quote, "The results  
2 of these hearings will most likely lead to increased  
3 in-stream flows, in most if not all the tributaries to  
4 the Delta. This change would provide conditions for  
5 fish and others." That's taking water from someone.  
6 That's what that means. And we think that that's  
7 pretty bad.

8 If that's the case, let's drop Phase B and  
9 get on with it.

10 In closing, I'd like to thank you. Butte  
11 Basin water users would like to be a part of the  
12 solution to the problems. We'd like our questions  
13 answered, and thank you.

14 MR. BRANDT: Thank you, Mr. Heffren.  
15 George Wilson, Rick Massa, and Al Wacker -- Wackerman.  
16 Of I got that right? Go ahead, sir.

17 MR. WILSON: My name is George  
18 Wilson. I'm a shareholder in the Orland project. I've  
19 been involved in ground water geology and surface water  
20 rights in the Sacramento Valley since 1946.

21 MS. HOLCOMB: Get a little closer.

22 MR. WILSON: Little closer? I will  
23 limit my comments to the area described as the Stoney  
24 Creek Alluvial Fan in Glenn County.

25 Most of my comments pertain to the progress

38

1 feet, minus approximately 25,888 acre feet for the  
2 Orland project. Even if 55 percent of the total  
3 average runoff could be applied to ground water, it  
4 would not compensated for the one year drop in water  
5 levels of 1977.

6 Based on documents I have read, I believe  
7 no accurate assessment of ground water yields is  
8 available at this time. Exporting ground water does  
9 not create or make available new water. Storing flood  
10 waters in reservoirs does create new available water.  
11 Thank you.

12 MR. BRANDT: Thank you, Mr. Wilson.  
13 Rick Massa, Al Wackerman, and Forest Sprague.

14 MR. MASSA: First of all, my name is  
15 Rick Massa, M-a-s-s-a. I'm project manager of the  
16 Orland Unit Water Users Association located in Orland,  
17 California. We're successor to the Bureau of  
18 Reclamation in operating the northern project, one of  
19 the oldest federal projects in the country. We operate  
20 off of Stoney Creek and its tributaries, which provide  
21 our source of water, and we irrigate over 25,888 acres,  
22 and we operate two reservoirs with storage over a  
23 hundred thousand acre feet. We have the following  
24 concerns. We're concerned that the needs of  
25 agriculture are not adequately represented in the

40

1 CALFED process. The program is driven by the state's  
2 environmental community as evidenced in the makeup of  
3 the 15 member agencies. Of the seven lead agencies,  
4 only one, the Army Corp of Engineers is not totally  
5 environmentally driven. If we are to share the pain,  
6 then we, the ag community must participate in the  
7 administration of the pain.

8 CALFED memberships should include ag  
9 agencies and interests proportionate to that of the  
10 environmental community, especially when entering Phase  
11 3, the implementation stage. We are concerned with how  
12 the proposed CALFED program will be funded. As the  
13 previous speaker has spoken -- has mentioned, the  
14 report is, the Phase II report is ambiguous as to who  
15 will finance the five billion plus price tag. Will it  
16 be a statewide issue or will it be from beneficiaries.

17 Furthermore, who are the beneficiaries? We  
18 are concerned that the funding for surface storage is  
19 disproportionate to that of conveyance.

20 A As another previous speaker had mentioned,  
21 there are one million dollars that are allocated to  
22 conveyance while storage is allocated three hundred  
23 seventy million. Seventy million of which is allocated  
24 to -- is actually left over to integrated storage  
25 investigation, which includes surface storage as a

41

1 component. So if you look at the whole five billion  
2 budget, and you took that seventy million, you are  
3 looking at one percent left over for new surface  
4 storage.

5 Again, I reiterate we need to fund surface  
6 storage more proportionately to that of conveyance.  
7 We're also concerned that water transfer is considered  
8 a solution. Water transfers is not a viable solution.  
9 This is a short-term solution to a long-term problem.  
10 Many coin it as a band-aid approach.

11 Conjunctive use is not a viable solution,  
12 either. Conjunctive use proposals and the preferred  
13 program alternative violate California water codes  
14 sections, specifically sections 1215 through 1222,  
15 which provide for the protection of local areas. New  
16 surface storage is a viable protect -- solution. It is  
17 the only solution that does not violate certain of  
18 CALFED solution principals in its mission statement.

19 Specifically, reduce conflicts in the  
20 system, be equitable, be durable, pose no significant  
21 and direct -- redirected impacts, and surely Northern  
22 California water users, specifically agriculture, will  
23 suffer these redirected impacts, if CALFED'S solution  
24 package remains void of new surface storage. Thank  
25 you.

42

1 MR. BRANDT: Mr. Massa, thank you.  
2 Al -- can you pronounce your name for me just so I make  
3 sure -- did I get it right?

4 MR. WACKERMAN: Wackerman.

5 MR. BRANDT: Okay. Al Wackerman,  
6 Forest Sprague, and the next one is Bill Jackson. Go  
7 ahead, Mr. Wackerman.

8 MR. WACKERMAN: Yeah, my name is Al  
9 Wackerman. I'm a dairyman with five hundred acres  
10 below Black Butte Dam. A ranch that in four years we  
11 lost three wells. And they were -- the deepest one was  
12 265 feet deep. We keep losing our wells. We put one  
13 in last year and we are putting another one in next  
14 year.

15 I'm also a Director of the Orland Water  
16 Users, who of thirteen hundred shareholders. I'm also  
17 a Director of the California Dairy Advisory Board. I  
18 would like to say something. I oppose conjunction use  
19 of EIR and EIS for the following reasons.

20 Number one, a substantial risk of  
21 contamination or otherwise high quality water for all  
22 benefits use.

23 Number two, there is no identification or  
24 statement on the interest of surface property owners,  
25 demonstrating on how private property owners are to be

43

1 protected and private ownership rights preserved.

2 Number three, in many areas, substance is  
3 of material risk.

4 Number four, percolation and recharging  
5 rates will be insufficient to draw down, especially in  
6 dry years. And we're sure going to get dry years.

7 Five, cost of pumping ground water will  
8 increase, especially when pumpers are competing for  
9 water in the same ground water basin, resulting in more  
10 expensive pumping depths.

11 This violates CALFED precepts that there be  
12 no redirected negative impacts.

13 Number six, there must be assurance that  
14 ground water does not result in the loss of surface  
15 water rights.

16 Number 7, under proposed conjunctive use  
17 plan, risks are posed to local -- I can't say it, and  
18 are not addressed in the EIR/EIS. The conjunctive use  
19 proposed by in the preferred program also violates  
20 California water code section, especially Section 1215  
21 through 1222, which provides for protection for local  
22 areas. Thank you.

23 MR. BRANDT: Thank you.

24 MR. WACKERMAN: I would like to say  
25 one other thing. I would like to see water going down

44

1 the Sacramento River every winter, pick it up at the  
2 Delta, stick a dam up there, and put all this extra  
3 water. Thank you.

4 MR. BRANDT: Thank you.

5 Forest Sprague, Bill Jackson and Ken Lindauer --

6 MR. SPRAGUE: I'm Forest Sprague, I'm  
7 President of American Property and Land Education  
8 Foundation. I'm also here as a consultant to the  
9 Orland Water Users Association.

10 I want to first point out that your video  
11 says that the environment has equal status with all  
12 other water rights and uses. Also, CALFED says that  
13 the CALFED program is not an agency with regulatory  
14 authority, that it is a program. And the staff also  
15 says there is nothing in that program that will change  
16 water rights. We even heard earlier that Rick said  
17 water rights are not a part of the program.

18 However, on December 2, 1997, the State  
19 Water Resources Control Board released a draft EIR on  
20 their implementation of the 1995 Water Quality Plan for  
21 the San Francisco Bay and the Sacramento/San Joaquin  
22 Delta. The following are quotes from the cover letters  
23 to interested parties from the Water Control Board.

24 The purpose of this draft EIR is to analyze  
25 and disclose the significant environmental effects of

45

1 Resources Control Board says that pursuant to  
2 California water code sections 180 and 275, and the  
3 common law trust, public trust doctrine, all rights and  
4 privileges under any license issued pursuant thereto  
5 are subject to the continued authority of the State  
6 Water Resources Control Board.

7 The CALFED program has many competing  
8 interests for the same water. Fish recovery,  
9 ecosystems and restoration, and the newly created  
10 environmental water count could be described as public  
11 trust uses. The CALFED program needs to be specific as  
12 to its actions --

13 MR. BRANDT: Mr. Sprague --

14 MR. SPRAGUE: -- CALFED will take to  
15 protect water rights and address areas of origin.  
16 Thank you.

17 MR. BRANDT: Thank you, Mr. Sprague.

18 MR. BRANDT: Bill Jackson,  
19 Lindauer --

20 MR. JACKSON: My name is Bill  
21 Jackson --

22 MR. BRANDT: Wait a minute. Let me  
23 just announce the last name so we can get him up here.  
24 Because I want to encourage you to move on up here.  
25 William Waite is the third person. Go ahead, Mr.

47

1 alternatives for implementing the objectives in the  
2 1995 Bay-Delta plan adopted by the State Water  
3 Resources Control Board.

4 An important aspect of the draft EIR is the  
5 inclusion of alternatives that rely on the modification  
6 of water rights in the Central Valley as a means of  
7 distributing the responsibility for meeting the  
8 objectives of the Bay/Delta plan. The board will  
9 evaluate the draft EIR, along with other evidence, in  
10 preparation of a water right order to implement the  
11 Bay-Delta plan.

12 I would point out that the State Water  
13 Resources Control Board is in fact a regulatory agency,  
14 part of the CALFED program.

15 Also, the Board has released literature  
16 that says water rights is an integration of both public  
17 trust and appropriate right systems, and that all  
18 appropriations may be subject to review if changing  
19 circumstances warrant their reconsideration and  
20 reallocation, and that public trust values are subject  
21 to reasonable and beneficial provisions of the  
22 California constitution.

23 Further, the Board says these beneficial  
24 uses have been broadened to include fish and wildlife  
25 protection. The State codes governing the Water

46

1 Jackson.

2 MR. JACKSON: My name is Bill

3 Jackson. I'm from Tehama County, member of the Tehama  
4 County Board of directors, past president of the Tehama  
5 County Cattleman's Association. We notice all of  
6 CALFED'S things has water storage down as second from  
7 the bottom. We just wonder how they could have that,  
8 or even if CALFED would be here if Shasta Dam and  
9 Oroville Dam had not been put up by our predecessors to  
10 give these people water that we have and are using  
11 now.

12 If we do not -- if we do not put in more  
13 and develop water storage, what we have will not last.  
14 And putting in and taking out livestock or any other  
15 thing we do to develop more water supposedly out of our  
16 streams and the mountains we will find will not work.

17 In the past history of the Sacramento  
18 River, before Shasta Dam was ever put in, this time of  
19 the year, many, many people had to haul their water out  
20 of the water holes in the Sacramento River just to get  
21 water to their animals. Without this water storage, we  
22 are not going to have water to hold and to take us  
23 through the drought years. Thank you.

24 MR. BRANDT: Thank you, Mr. Jackson.  
25 Ken -- you want to help me on this one? Let me do the

48

1 other ones. William Waite and Gary Griswold, if you  
2 can come on up.

3 MR. LINDAUER: I'm Ken Lindauer,  
4 member of the Board of Directors of the Tehama County  
5 Farm Bureau. I'm a manager of a family farm on the  
6 Sacramento River.

7 I'm concerned that CALFED -- you people in  
8 CALFED are getting too involved in the details in these  
9 massive reports and trying to follow all the rules and  
10 regulations, and you are missing the big picture. The  
11 big picture is is we live in a climate where it just  
12 rains in the winter. And you're not going to have any  
13 water to worry about efficiency transfers and  
14 environment and flushing the Delta, if you don't of the  
15 water to begin with. And your only source of water is  
16 rain. And the only way to save rain water is to catch  
17 it in reservoirs.

18 There is another source of water and that's  
19 the ocean. Maybe the Southern California people ought  
20 to be looking at desalinization of salt water. That's  
21 the only source of water there is is rain water and  
22 possibly the ocean.

23 So you've got to catch the water. As the  
24 population grows, we're going to use more water in the  
25 state, so we're just going to have to have more water

49

1 years of construction. I think this is at best.  
2 That's 15 years. If you've got another seven that's 22  
3 years. Then you're talking 28/28.

4 We need the water now. We got a shortage  
5 of water now. We've got to look to move up the dam  
6 sites and others. That is a priority we need to be  
7 looking at, not to put it at the lowest. You've got to  
8 look at the highest. It's also, I've had -- I live  
9 within a half of mile of Funks Creek, which would be  
10 one of the dam sites. I've had water go through our  
11 ranch. Conversely, if the proposed dam goes in, they  
12 have to have conveyance system from the Sacramento  
13 River, one of those canals will probably be going  
14 through my old ranch. So --

15 But maybe people are going to have to do a  
16 little sacrificing to get the benefit of the good. And  
17 maybe the last thing we need to do is speak with a  
18 uniform voice -- unified voice. The supervisors of all  
19 the counties, plus the water district, we got to  
20 fight -- preserve what water we have here for  
21 beneficial use of everyone. Thank you.

22 MR. BRANDT: Gary Griswold, Sandy  
23 Denn and Mary Anne H-o-u-x. Houx? Houx, okay. Mr.  
24 Griswold.

25 MR. GRISWOLD: Yeah. Thank you for

51

1 stored to have it -- to have adequate water to use. So  
2 I think the storage should be the very top priority in  
3 your plan and not just one of eight elements. Thank  
4 you.

5 MR. BRANDT: William Waite, Gary  
6 Griswold and Sandy Denn.

7 MR. WAITE: I'm Supervisor Bill Waite  
8 from Colusa County. It's W-a-i-t-e. Also a director  
9 on the Colusa Basin Drain District and also a member on  
10 the SB 1886 committee. It's SB 1886. I'm a director,  
11 yes -- or a member.

12 I live within -- my whole life, within five  
13 miles of the proposed Sites, Colusa complex. It was  
14 said that when 14,000 acres would be destroyed -- I  
15 don't know if the speaker has ever been up there in the  
16 summer. Besides rattlesnakes and star thistle, at one  
17 time there was probably about 18 to 15,000 sheep raised  
18 in that area. Basically because of coyotes, there is  
19 none, some cattle. If you want a better picture, it  
20 would be -- you're also talking about the priority was  
21 said, well, after everything else is failed, we'll look  
22 at dams. Maybe you ought to look -- that's after seven  
23 years. They said it's going to take eight years to do  
24 an EIR on the SSites reservoir. Going to be another  
25 four years of litigation. Going to be another three

50

1 the opportunity to speak this evening. My name is Gary  
2 Griswold, and I'm the Director of the Butte County Farm  
3 Bureau. I'm a farmer. I farm almonds and walnuts and  
4 I'm a little unusual in that I'm an agriculture banker,  
5 too. So you might expect I'm a little economic  
6 oriented.

7 Over the years I thought the mission of  
8 CALFED was to insure a balanced approach of providing  
9 dependable, high quality water to all the people of  
10 call of California as well as to protect and enhance  
11 the environment. The published draft report falls far  
12 short of this mission, as it is very short-sighted and  
13 biased in its approach.

14 With the current projected population  
15 growth of California, the proposed solutions of water  
16 conservation, water transfers, and diversion in farm  
17 land to habitat will not replace the short-fall in  
18 needed water resources. An expanded water supply must  
19 be a part of the solution, and its environmental needs  
20 place greater demands on water. Transfers would  
21 adversely impact northstate ground supplies.  
22 Agriculture has vastly improved its irrigation methods,  
23 so conservation enhancements are pretty minimal.

24 Diversion of farmland to habitat may not  
25 conserve water. In fact, habitat also has severe water

52

1 requirements in most instances. There may be a  
2 question of how much habitat we really need and how  
3 much we really can afford. Northern California has  
4 already contributed significantly to habitat along the  
5 Sacramento River. There is many thousands of acres  
6 that of already been converted, and there is an  
7 aggressive marketing program to acquire more lands as  
8 quickly as possible. Even this conversion to dated has  
9 had a severe impact on the economics of Northern  
10 California.

11 The proposed solutions will not only  
12 devastate northstate agriculture but the local and  
13 state economies as well. It will also significantly  
14 impact our life styles and the many positive  
15 contributions agriculture makes to the environment and  
16 to open space. The shrinking of a strong viable  
17 agricultural economy is not a realistic solution,  
18 although it may be the easiest political solution. I  
19 urge you to consider the development of water resources  
20 in your plan as an alternative to water transfers and  
21 the shrinking of a strong agricultural economy. Thank  
22 you.

23 MR. BRANDT: Thank you, Mr.  
24 Griswold. Sandy Denn?

25 MS. DENN: Yes.

53

1 would like to see that statement changed.

2 Two, the environmental water bank concept  
3 is insufficiently defined.

4 Three, environmental demands must be  
5 realistic and scientific with integration of CVPIA,  
6 CALFED and ESA objectives.

7 Four, we must not play games with ground  
8 water supply numbers. We need more and real data, and  
9 we need real water developed in real reservoirs.

10 Five, conjunctive use can be a part of  
11 CALFED, but it must support reasonable local  
12 regulations that allow for transferability of surplus  
13 supplies only.

14 Six, off-stream storage must be expanded,  
15 and most importantly, must move forward simultaneously  
16 with other components of the ISI. Properly placed and  
17 designed, it can, A, produce clean and efficient  
18 energy; B, enhance air quality; C, provide additional  
19 surface supply; D, provide additional and much needed  
20 flood control in Northern California; E, enhance  
21 recharge capabilities; and F, improve environmental  
22 habitat in highly arid areas.

23 In my written comments I said that driving  
24 by at 75 miles on the freeway, you don't see the  
25 rattlesnakes and star thistle. But they are there.

55

1 MR. BRANDT: Mary Anne, can you help  
2 me Hous. I got it right, okay. and Doug Bentz.

3 MS. DENN: My name is Sandy Denn.  
4 I'm a third generation farmer living on the lands. My  
5 husband and I participate in generating a multi-billion  
6 dollar source of revenue in this state.

7 The consumer of California produce has a  
8 guarantee of quality, quantity and variety superior to  
9 anywhere else on earth. Green crops produce much  
10 needed improvement to air quality. Much of the  
11 agriculture in California provides environmentally  
12 friendly habitat to multiple species, and northstate  
13 water returns to the system clean enough for reuse by  
14 urban entities. So enough political statements.

15 Here are my comments. I have seven.

16 Number one, in spite of vast screening  
17 improvements at Glenn-Colusa Irrigation District, I  
18 find in Volume II of the EIR/EIS the ecosystem  
19 restoration plan Sac River management zone this  
20 statement. Although many improvements have been made  
21 to its screening system, fish protection remains  
22 inadequate. Well, as a member of that Board of  
23 Directors, I find that highly offensive, since I know  
24 first hand there has been monitoring in existence and  
25 there has not been a single fish take since 1983. I

54

1 This would be an improvement.

2 Seven, do not consider any further  
3 conversion or fallowing of ag lands, at least not until  
4 you fallow shopping centers and apartment buildings.

5 Cultivated crops consume less than half the  
6 water of certain natural growth plants in this valley.

7 I just want to implore you for the fix in  
8 the Delta, be realistic about our future. Give us more  
9 storage. Thank you.

10 MR. BRANDT: Thank you. Mary Anne  
11 Houx, Doug Bentz, and James Marler.

12 MS. HOUX: Good evening, my name is  
13 Mary Anne Houx. Please say the X. I'm a member of the  
14 Board of Supervisors in Butte County.

15 Your problematic impact statement provides  
16 opportunities for new storage, both above and below the  
17 Delta, to enhance timing and flow management to more  
18 effectively and efficiently satisfy urban,  
19 agricultural, and environmental beneficial users.

20 In all due respect, California has studied  
21 new storage facilities for over 35 years. I don't  
22 think we need to study storage for another seven  
23 years. We need it implemented.

24 CALFED must construct facilities for  
25 off-stream storage in the Sacramento Valley.

56



1 Off-stream storage provides a much greater degree of  
2 flexibility, water supply, reliability, environmental  
3 needs, and control than the other storage options being  
4 considered by CALFED.

5 Effective storm -- effective control of  
6 storm flows necessary for improved fisheries and also  
7 planning for extreme events, which we see here  
8 frequently, floods and droughts, can best be  
9 accomplished by the development of new surface storage  
10 facilities. Increasing storage capacity to capture  
11 flood waters during high flow events can help prevent  
12 the associated loss of lives, including property and  
13 agriculture. When excess surface waters are controlled  
14 closer to the area of origin, sufficient downstream  
15 impacts can be prevented. Increased surface storage  
16 would provide new water supplies, not a reallocation of  
17 existing supplies from one area to another.

18 The document seems to agree that the  
19 construction of additional storage would increase the  
20 amount of new water. However, CALFED has stated that  
21 any actual construction of additional storage will only  
22 be considered after all conservation measures and  
23 efficiencies have been demonstrated. Such a vague  
24 promise of examining surface storage at sometime in the  
25 future is an inadequate solution.

57

1 that I have are a few that I'd like to address again.  
2 More water is going to be required for  
3 growing population in California. I don't think there  
4 is anybody that can disagree with that. A way to do  
5 that would be to store our winter precipitation for  
6 summer use, don't steal it from agriculture.

7 Winter rains cause floods, and growing up  
8 and living 50 plus years here now on the Sacramento  
9 River, we have enough of that. It causes personal as  
10 well as property damage. Again, store that winter  
11 precipitation for summer use.

12 A multi-use reservoir, using it for more  
13 than one purpose. You have a lot of different reasons  
14 if we're looking to stack the dominoes in one area.

15 Transfer of water requires levies. These  
16 need to be maintained to prevent damage to people and  
17 property. It's time to pay that maintenance bill. If  
18 we're not aware of it already, the Sacramento River is  
19 a canal. That's the only way the water gets  
20 transferred from what we have developed already in the  
21 past.

22 Water rights and property rights, we have  
23 to preserve them. Whether we like it or not,  
24 economically, agriculture has got us where we are in  
25 this state. Northern California has a lot to lose if

58

1 CALFED must not rely on ground water  
2 supplies of the Sacramento Valley to address the water  
3 shortages of the entire state. This practice would  
4 have a negative economic impact on our local  
5 communities. Increased surface storage is the only way  
6 to bring new water into the system. The County of  
7 Butte insists that the construction of additional  
8 surface storage, both above and below the Delta, be a  
9 required component of the CALFED Bay-Delta solution  
10 during stage one.

11 As soon as possible, we respectfully  
12 request a breakdown of the associated time line on the  
13 construction of new storage, and we ask that this be  
14 accomplished immediately. Thank you very much.

15 MR. BRANDT: Thank you, Supervisor  
16 Houx. Okay. Next ones are Doug Bentz, James Marler  
17 and Billie Roney. And after that, I think we're going  
18 to take a short break, so our Court Reporter, who is  
19 hanging in here, gets a little break for her fingers.  
20 Mr. Bentz?

21 MR. BENTZ: Yes, Doug Bentz, Butte  
22 County Farm Bureau, third generation farmer, as well as  
23 an ag instructor at Butte College. The comments I have  
24 tonight, rather than going over some of the ones  
25 before, I think you've heard those enough. The issues

58

1 we don't watch for those preservations. Agriculture is  
2 the largest employer in the state. Basic ag  
3 industries -- basic industries such as ag, must be  
4 maintained to sustain California and pay this  
5 tremendous bill that we're looking at right down the  
6 gun barrel. The price tag of this grandiose plan has  
7 to be paid for from somebody. Guess who that is going  
8 to be?

9 When farmland is lost from agricultural  
10 use, it's lost forever. To me that would be an  
11 endangered area that needs to be looked at. Let's save  
12 ourselves from long-term downward spiral of disaster by  
13 not sacrificing ag but supporting it instead. Let's  
14 move ahead, not backwards. Thank you.

15 MR. BRANDT: Thank you, Mr. Bentz.  
16 James Marler, and then Billie Roney.

17 MR. MARLER: I'm James Marler. I'm a  
18 lifelong farmer. I farm rice and walnuts. I'm also  
19 District Director for the California Farm Bureau. And  
20 I listened to the comments tonight, and in looking at  
21 the video you had, it's very apparent that the storage  
22 system that we have in place today was basically put in  
23 place by the support of agriculture.

24 Agriculture has been taken water from now,  
25 the environmental uses, for the urban uses, and without

58

1 more storage, I don't see how that we can continue to  
 2 divide up the pie and to distribute more water.  
 3 Agriculture is, with the modern technology  
 4 we have, with the drip irrigating systems and the new  
 5 technologies are conserving at max water today. It's  
 6 going to be hard to conserve more water. We need more  
 7 storage for future growth in California, not only  
 8 agriculture, but the urban growth, the environmental  
 9 needs. And I've been through the floods and the  
 10 droughts, and I know that neither one are pleasant, but  
 11 it's very heart breaking to see the water flow down the  
 12 river during the winter times when we almost are at the  
 13 point of breakage. And I've been through two floods,  
 14 and I think we need to conserve some of this water as  
 15 it goes down the river. It's not beneficial to the  
 16 environment going down at that it's so maximum that max  
 17 flows.

18 So I think that we need more storage to  
 19 better control the water and for the drought years.  
 20 Thank you.

21 MR. BRANDT: Thank you, Mr. Marler.  
 22 Billie Roney, and then we'll take a ten-minute break.

23 MS. RONEY: I need to apologize for  
 24 not making eye contact, because I need to read.

25 MR. BRANDT: That's fine.

61

1 MS. RONEY: My name is Billie Roney,  
 2 and I proudly come here representing myself as a member  
 3 of the Farm Bureau, and also the proud wife of a fifth  
 4 generation rancher who is not only a great ag guy but a  
 5 great conservationist and takes good care of the  
 6 land.

7 I think it's time to move on to the  
 8 century. We can't return California to the time before  
 9 the arrival of the European settlers like some people  
 10 would like to have us do. It's time to accept  
 11 reality. Neither the smelt nor the salmon are any more  
 12 of a canary in the mind than were the Tyrannosaurus Rex  
 13 or the Brontosaurus. The frogs we've heard so much  
 14 about weren't dying from acid rains or holes in the  
 15 ozone. They had a little froggy disease that had  
 16 nothing to do with man or his management.

17 People are the most important resource.  
 18 Farmers and ranchers feed and clothe a population more  
 19 than two and a half times the size of what we had in  
 20 1818 and they tripled their exports as well.

21 In that same timeframe they lowered the  
 22 total acreage of production from 325 to 297 million  
 23 acres. That 28 million acres, which is larger than the  
 24 state of Louisiana, is available now for other uses,  
 25 such as wildlife habitat, because of people who strive

62

1 to do better with the resources they have.

2 What made this happen? A free market,  
 3 private property, and its inherent stewardship. CALFED  
 4 can't see the fish through the water. CALFED wants to  
 5 take water through transfers, preservation, usurping  
 6 property rights and idling farmland. It relies on the  
 7 punitive approach, take water from the people and give  
 8 it to the fish. The only sensible answer does not rely  
 9 on punitive measures. We don't have to take water away  
 10 from people.

11 Just like those millions of swimming pools  
 12 dotting the state, we can add to the supply. This  
 13 would benefit both the fish and the people. Farmers  
 14 and ranchers have been ahead of the curve by constantly  
 15 improving and reducing their use of water. But what of  
 16 the rest of the people done.

17 A farmer is a business person, just like  
 18 anyone else. The caveat is that he is the scapegoat  
 19 for people too blind to see that there are plenty of  
 20 causes which adversely affect the fish other than him.  
 21 Protected sealions await the migrating salmon as they  
 22 leave the mouths of rivers and plunge unwittingly into  
 23 the sea. It isn't a new story. The bigger fish always  
 24 eats the smaller one.

25 Please remember the people. They make good

63

1 things happen, and they always of. We legislate how we  
 2 think and how we talk. We legislate morals, land use,  
 3 water use, and air use. We legislate to punitive  
 4 perfection anything and everything imaginable. But one  
 5 thing I'm sure of, we can't legislate evolution. Thank  
 6 you.

7 MR. BRANDT: Thank you, Ms. Roney.  
 8 Looking at the clock in back, I see it's  
 9 8:25. So I'll call this back together at 8:35. We  
 10 have got to keep this short. We've got about another  
 11 50 or 60 people to speak.

(Break taken.)

12 MR. BRANDT: We can hear you up  
 13 here, go ahead.

14 MS. GIBBS: I still don't think  
 15 everyone can hear me.

16 MR. BRANDT: Oh, I think we can. But  
 17 we can hear you. We're listening.

18 MS. GIBBS: Thank you. Good evening,  
 19 my name is Suzanne Gibbs, I'm the watershed coordinator  
 20 for the Big Chico Creek Watershed Alliance.

21 First of all, thank you for coming to  
 22 northern are California for this public hearing. The  
 23 watershed alliance would like to see CALFED continue to  
 24 support --

64

1 MR. BRANDT: Okay. Wait a minute,  
2 I'll give you some extra time. We really need to have  
3 a few -- you want to have conversations, could I ask  
4 you -- the Court Reporter is having difficulty hearing.  
5 So I really need you to step outside, if that's okay.  
6 That would really help us all out. Thank you. There  
7 is just a lot of echo in here and so we hear you back  
8 there near the door talking. Go ahead.

9 MS. GIBBS: Thank you. The  
10 Watershed Alliance would like to see CALPED continue to  
11 support and fund watershed groups throughout the  
12 state. Locally, CALPED has funded Phase I and Phase II  
13 of the Big Chico Creek watershed project, which is a  
14 compilation of the existing conditions in our  
15 watershed, the creation of a management strategy for  
16 the watershed. And then the third phase is the  
17 implementation, working with land owners for identified  
18 restoration actions.

19 Additionally, the Watershed Alliance would  
20 like to see CALPED help us resolve fish passage  
21 problems at One Mile, Five Mile, and Iron Canyon.  
22 continue to work with land owners to restore riparian  
23 zones, to improve water quality, base flow and  
24 temperatures. To acquire habitat for -- from willing  
25 sellers in the watershed, to protect and enhance upper

65

1 watershed meadows, to insure --

2 MR. BRANDT: Could I please ask the  
3 people in back, whoever, we hear it very clearly up  
4 here. Thank you. Go ahead.

5 MS. GIBBS: To protect and enhance  
6 upper watershed meadows, to assure in-stream flows year  
7 round, to monitor urban storm water to determine  
8 impacts to water quality, and to protect -- to provide  
9 protection for ground water recharge areas.

10 We'd like to see additional --  
11 additionally, that the CALPED documents do not stress  
12 implementations for strong water conservation measures  
13 for either ag or urban users. And we feel that those  
14 issues really affect Northern California water and the  
15 amount of water that we have for all purposes. Thank  
16 you.

17 MR. BRANDT: Thank you. Todd  
18 Kimmelshue, Joe Connell, and Mike Verechagin. Todd  
19 Kimmelshue. Mr. Kimmelshue, step right up, please.

20 MR. KIMMELSHUE: Thank you. Todd  
21 Kimmelshue. I'm here tonight representing the Butte  
22 County Farm Bureau and the Chico Chamber of Commerce.

23 As a member of the Board of Directors of  
24 both the Chico Chamber of Commerce and the Butte County  
25 Farm Bureau, I've had the opportunity to learn what a

66

1 huge impact agriculture makes on the Northern  
2 California economy.

3 Butte County alone generates over three  
4 million dollars in farm income annually. It is  
5 estimated that as that three million dollars rolls  
6 through our community it produces over one billion  
7 dollars in the economy. And when I say rolling through  
8 the community, I mean that farmers take that money,  
9 they get their crops and livestock and buy equipment,  
10 they buy supplies, they buy services. The people who  
11 sell the equipment, supplies and services then take  
12 that money and buy groceries, clothing, services, fuel,  
13 et cetera. If Butte County alone -- in Butte County  
14 alone the cumulative value of agriculture is over one  
15 billion dollars, then statewide, agriculture provides  
16 several billion dollars for our economy. To damage or  
17 inhibit agriculture in California would have a huge  
18 detrimental effect on the entire California economy.  
19 To idle farmland in order to save water, as has been  
20 suggested in the CALPED proposal, would be put farm  
21 workers out of work, would put farm implement dealers  
22 and suppliers out of business, and would put small  
23 rural communities on the brink of extinction.

24 In addition, if farmland is to be idle,  
25 then farm owners need to be compensated. This would be

67

1 a major burden for all taxpayers, because the state and  
2 federal government would have to compensate land owners  
3 for their loss of income.

4 CALPED is an ambitious plan to give a fair  
5 share of water to farms, cities, and Delta wildlife.  
6 It needs to be done. However, not at the expense of  
7 family farms and ranches, and in communities they  
8 support.

9 We in the agricultural community believe  
10 there is a solution to the entire problem, and with  
11 some long-range planning, all state holders can be  
12 satisfied, but we cannot accomplish this goal without  
13 water storage.

14 Storage, in the form of above-ground  
15 reservoirs, is the only way CALPED can accomplish these  
16 goals. There is enough water in California to supply  
17 all our needs, but it needs to be saved and banked for  
18 drought years and needs to be controlled in wet years.  
19 Storage also adds to our economy through recreation and  
20 tourism opportunities and adds safety to our residents  
21 through flood control.

22 Storage will also provide a stable water  
23 supply for the Delta, and the wildlife, and the fish  
24 that live there, and will provide for the residents of  
25 California for generations to come. The solution is

68

1 simple. If we build water storage for California, we  
2 all win. If we don't, we could all lose. Thank you.

3 MR. BRANDT: Thank you, Mr.  
4 Kimmelshue. Joe Connell, Mike Vereschagin, and Lewis  
5 Johnson. Mr. Connell.

6 MR. CONNELL: I'm Joe Connell, Farm  
7 Advisor with the University of California Cooperative  
8 Extension here in Butte county. Over 16 percent of the  
9 jobs in Butte County are directly related to  
10 agriculture. There is no alternative industry to  
11 replace this in our area. My first comment on the  
12 habitat restoration aspects deals with the setback levy  
13 proposals of the Sacramento River. The impact on the  
14 local economy would be significant with this proposal.  
15 It would result in converse of high value tree crops  
16 that can't withstand flooding to low value annual  
17 crops, and that would have a direct impact on our local  
18 ag economy.

19 The second point I want to make is that any  
20 loss of surface water for agriculture increases the  
21 cost of irrigation. This makes our commodities less  
22 competitive with other parts of the state. Because of  
23 high rainfall, we face more disease problems that  
24 increase the cost of farming. Low water cost is our  
25 advantage and is what allows us to successfully compete

69

1 The main point I want to make tonight is  
2 CALPED will not solve California's water shortage for  
3 agriculture, the environment, the businesses, and the  
4 people of this state without more water storage.

5 Current CALPED proposals is simply a  
6 reallocation or transfer of existing water supply.  
7 This is not an acceptable alternative. There is no new  
8 substantial water development in the current proposals  
9 of CALPED. The retirement or conversion of ag land and  
10 increasing ground water pumping is not a viable or  
11 economically feasible option. By taking our water,  
12 you'll be putting people out of work, which will have  
13 devastating impacts on the people of rural  
14 communities. Businesses will suffer, and our land will  
15 be devalued. Banks will not loan money to farmers if  
16 we cannot of a reliable affordable supply of water.  
17 This includes both our surface water and our ground  
18 water, which we depend upon in years of drought.

19 Farmers depend on ground water under their  
20 land, especially in years of shortages. To produce the  
21 food and fiber that all of us in this room, this state,  
22 this nation, and this world consume, we need to have  
23 water. In farming through many droughts, we have seen  
24 and felt the impacts of wells going dry during critical  
25 times of the year, due to the increased pumping when we

71

1 and maintain a viable agriculture economy in this  
2 area. This must not been compromised.

3 Third, to supply water and food to 25  
4 million new Californians, we have got to preserve our  
5 ag base and create new water and storage systems as a  
6 first plan of action, not wait to see if it's needed.  
7 Relying on conjunctive use and conservation as a  
8 routine water source is unwise.

9 Ground water, conservation, and water  
10 transfers must be preserved as a backup that can be  
11 tapped when drought removes other sources. To use it  
12 otherwise leaves no buffer in the system when drought  
13 reduces surface supplies. And that is sure to happen  
14 in the future.

15 We need clear vision, and we needs action  
16 now to meet the people's water needs in the next  
17 century. Thank you.

18 MR. BRANDT: Thank you, Mr. Connell.  
19 Mike Vereschagin, Lewis Johnson, and Vickie Newlin.  
20 Mr. Vereschagin.

21 MR. VERESCHAGIN: Hello, my name is  
22 Mike Vereschagin. I'm a fourth generation farmer in  
23 Glenn County. I'm a member -- board member of the  
24 Glenn County Farm Bureau, the California Farm Bureau  
25 Federation, and the Colusa Basin Drainage District.

70

1 don't of an adequate surface supply.

2 The rural home owners are the first to feel  
3 the impacts. They have the shallow wells, and those  
4 are the first wells to go dry. To say or even imply  
5 that ground water can supplement the state's water  
6 needs in years of drought when it's already overtaxed  
7 is ludicrous.

8 I ask you, CALPED, who will pay our bank  
9 loans and our employees who feed their families with  
10 the food we produce, and the businesses we support and  
11 their employees when you take water from agriculture.  
12 The only way CALPED can have a positive impact on the  
13 state's water supply is to build a substantial new  
14 surface storage. This will be a win-win situation for  
15 all sectors of the state; agriculture, the environment,  
16 business, and the people.

17 Surface storage will also of the benefit of  
18 flood control, which can prevent millions if not  
19 billions of dollars in damages. These damages are  
20 costs to federal, state, local government and the  
21 people, and all these damages are paid by our tax  
22 dollars.

23 Please modify CALPED'S plan to reflect the  
24 support of a poll that was done four years ago that  
25 showed that 85 percent of the people in this state

72

1 support building new surface storage to supply the  
2 needs of the growing state.

3 Since I have time still left, I find it  
4 amazing that -- after seeing that video, everything  
5 seemed real nice. And then get to the  
6 question-and-answer period, we cannot get specific  
7 answers to the questions we have. You got a document  
8 that's forty-seven hundred pages long, and you cannot  
9 answer our questions we have adequately. Real general  
10 and vague answers here. I don't know we need, what, a  
11 47,000 page document to answer it? Thank you.

12 MR. BRANDT: Thank you. Lewis  
13 Johnson, Vickie Newlin, David Bird. Mr. Johnson.

14 MR. JOHNSON: I'm Lewis Johnson,  
15 current President of Butte County Farm Bureau, third  
16 generation farmer in the Orland area. You ladies and  
17 gentlemen have a big responsibility with your decision  
18 that's going to be made from these hearings and through  
19 this whole process.

20 Everyone in the State of California is  
21 going to be affected, whether good or bad, from your  
22 decisions, and allocating more towards the  
23 environmental end of it is not a viable situation, with  
24 the amount of water that we have at the present time.  
25 Without new storage or new water being made available,

73

1 it becomes a losing situation in the next century.

2 You know, you're looking -- we've got to  
3 look ahead for the next 50 years. And your decisions  
4 that you're making now are going to be those decisions  
5 we have to live with. Not in my time but my son's  
6 time.

7 And I had a few other things to say, but a  
8 lot of it has already been said tonight, but I'll move  
9 right on and let somebody else talk.

10 MR. BRANDT: Thank you, Mr.

11 Johnson. Vickie Newlin, David Bird and Lee Herinjer.

12 MS. NEWLIN: I'm Vickie Newlin. I'm  
13 here tonight representing the County of Butte. And the  
14 County of Butte is very concerned about continued  
15 financing for the various components of the CALFED  
16 Bay-Delta program. The program proposes to develop  
17 financial strategies and koshering for all the many  
18 aspects of the program. However, none of these funding  
19 sources is secured for the 30-year life of the  
20 program.

21 For instance, in the watershed management  
22 program document, there is discussion about program  
23 development and implementation without creating a  
24 dependency on public funding. How does CALFED propose  
25 to maintain the various watershed management and

74

1 ecosystem restoration programs without continued  
2 financial support.

3 More specifically, when this restoration  
4 has taken place and public funding is no longer  
5 available, what entity will be responsible for the  
6 maintenance and upkeep? The concept of beneficiaries  
7 pay is raised throughout the implementation document.  
8 CALFED maintains that this approach encourages  
9 beneficiaries to more carefully review the water needs  
10 and the associated costs of proposed programs, but  
11 admits that it may be difficult to assess who the true  
12 beneficiaries may be.

13 The discussion regarding the various  
14 aspects of public versus private benefits is  
15 interesting. It points to agricultural users as free  
16 riders securing private benefits and touts that  
17 environment users are public and benefit a wider  
18 cross-section of the community that cannot be  
19 distinguished.

20 This approach fails to recognize the  
21 current water rights system and will clearly penalize  
22 agricultural users regardless of how efficient they may  
23 become. With an agricultural based economy the County  
24 of Butte opposes this type of user fee, unless it is  
25 more clearly and equitably defined and is supportive of

75

1 the needs of agriculture.

2 In addition, water-rich Northern California  
3 is not anxious to be taxed for supplying water to other  
4 parts of the state.

5 The CALFED program needs to clarify their  
6 financing plan and specify their sources of funding for  
7 the duration of the program. Clearly the discussions  
8 regarding new bonds, new fees and proposed budget  
9 appropriations need to be incorporated into a specific  
10 comprehensive finance plan for the duration of the  
11 program that is available for public review. To  
12 proceed with a program of this magnitude without  
13 secured funding would be remiss. Thank you.

14 MR. BRANDT: Thank you, Miss Newlin.  
15 David Bird, Lee Herinjer, Mike Arens.

16 MR. BIRD: My name is David Bird.  
17 I'm a member of the Butte County Water Commission. I'm  
18 also the general manager of Fernwood Irrigation  
19 District, and I'd like to discuss with you this evening  
20 the area of origin water rights.

21 We've talked a lot about storage but not  
22 about water rights very much. The CALFED Bay-Delta  
23 program supports the concept of origin of water rights  
24 and the BEIS. Butte County encourages this approach  
25 and requests that CALFED work with local government and

76

1 private land owners to insure proper management of our  
 2 water resources at the local level by incorporating  
 3 policies of local general plans and zoning ordinances  
 4 into the Bay-Delta solution.

5 Butte County is very concerned that area of  
 6 origin water rights are not being considered as  
 7 provided for in the California water code. Area of  
 8 origin statutes were designed to protect the rights to  
 9 water in areas where the water originates. Butte  
 10 County, having both the Butte Basin and Oro Dan  
 11 Reservoir, in addition to Butte Basin ground water  
 12 supplies is the area of origin for much of California  
 13 water supply. In addition, Butte County voters passed  
 14 a ground water protection ordinance in November 1996.  
 15 Any policies developed by CALFED need to abide by this  
 16 voter mandate, which was developed to protect local  
 17 the ground water supplies. Any conjunctive use ground  
 18 water banking programs developed by CALFED must contain  
 19 a formal agreement between the local, state, and  
 20 federal agencies to insure that local supplies are not  
 21 diminished, local ordinances are upheld, and area  
 22 origin of water rights are preserved.

23 Butte County requests that CALFED provide  
 24 for local control and abide by the area of origin water  
 25 rights. Preserving our current water supply is

1 County, will be protected throughout the implementation  
 2 of CALFED Bay-Delta program, so that we will all indeed  
 3 do get better together. Thank you.

4 MR. BRANDT: Thank you, sir. Les  
 5 Herinjer, Mike Arens and Carl Funke.

6 MR. FUNKE: Good evening, ladies and  
 7 gentlemen, my name is Les Herinjer. I'm  
 8 President of the Sacramento Valley Land Owner's  
 9 Association. We represent the property owners up and  
 10 down the Sacramento River, and I have a statement I  
 11 want to read to you, which we've already mailed off to  
 12 CALFED.

13 CALFED came about to develop solutions to  
 14 water supply and water quality problems in the  
 15 Sacramento and San Joaquin Valleys. Our members have a  
 16 vital stake in the outcome of the decisions that CALFED  
 17 makes because they farm along the Sacramento River.

18 CALFED'S first priority needs to be a  
 19 serious commitment to the development of new supplies  
 20 of surface water storage in the state to meet the  
 21 demands of a growing population and the environmental  
 22 demands of the Delta. DWR's own studies warn of severe  
 23 water shortages in the future. By 2025, annual  
 24 shortages of 3.7 to 5.7 million acre feet could occur  
 25 during average rainfall years.

1 essential for the rich quality of life and continued  
 2 economic success in Butte County and throughout  
 3 Northern California.

4 We in Butte County are concerned about the  
 5 intended use of PEIS and how specific implementation  
 6 actions will be forwarded. Butte County protests the  
 7 use of this draft environmental document as a basis for  
 8 setting future environmental policy. The data and  
 9 analysis is inadequate, and should be augmented by more  
 10 site-specific analysis which discuss in depth the  
 11 potential associated negative impacts of each proposed  
 12 action.

13 The use of broad, sweeping environmental  
 14 assessments that fail to capture economic and quality  
 15 of life impacts is inadequate to assess a program of  
 16 this large a scale and simply will not work.

17 In conclusion, CALFED seems to have  
 18 forgotten their concept of everybody getting better  
 19 together. Our evaluation of the program outlined in  
 20 the PEIS fails to reveal what rural counties stand to  
 21 gain.

22 CALFED must provide written assurance that  
 23 the program will address the aforementioned issues  
 24 before proceeding with the record of decision. There  
 25 must be a commitment that rural counties, such as Butte

1 Why do our policy makers continue to  
 2 procrastinate in the area of additional surface water  
 3 storage? We have studied this issue long enough.

4 There is over 71 million acre feet of annual runoff in  
 5 the state, of which 36 million acre feet runs unchecked  
 6 to the ocean. This 36 million acre feet that runs  
 7 unchecked to the ocean has risen to a hundred million  
 8 acre feet in a very wet year.

9 Storing only a small amount of these excess  
 10 flows would solve our environmental and urban water  
 11 shortages far into the future. Without this course of  
 12 action, CALFED appears to agriculture, which has the  
 13 most to lose, to be very disingenuous.

14 The existing water supplies that  
 15 agriculture uses are actually used by the people that  
 16 consume the farm products that we raise. In California  
 17 we raised over 250 different commodities to feed people  
 18 locally, state wide, and all over the world.

19 CALFED'S very aggressive land acquisition  
 20 program along the Sacramento River and its tributaries  
 21 will ultimately result in a net decrease of water  
 22 flowing to the Delta. The riparian corridor that is  
 23 being reestablished will use more water year round than  
 24 farms in this same corridor. Where will water for this  
 25 new use come from? CALFED'S land acquisitions go on

1 even though recommendations in the Sacramento River  
2 Conservation handbook, which we all know is Senate bill  
3 1886, have not been met. These include save harbor  
4 from endangered species for neighboring farms.  
5 addressing patrol and trespass issues, and addressing  
6 impacts to adjacent landowners in funding proposals.

7 Another issue that CALFED needs to study is  
8 of vital concern that has been raised by the state  
9 Reclamation Board regarding the unprecedented amounts  
10 of revegetation that will be taking place in the  
11 Sacramento River flood channel. The concern is what  
12 this vegetative cover will do to flood flows down the  
13 Sacramento River, and what impact that will have on  
14 adjacent farmers, levies, and other vital  
15 infrastructure at critical locations along the  
16 Sacramento River.

17 MR. BRANDT: Thank you, Mr.  
18 Herinjer.

19 MR. HERINJER: Thank you.

20 MR. BRANDT: I look forward to  
21 receiving your statement as well.

22 Mike Arens, Carl Funke, and Gene Harris. Mr. Arens.

23 MR. ARENS: My family has lived in  
24 California for over a hundred years and has been  
25 continuously farming for almost that long in the

81

1 effects would reach throughout the nation and the  
2 world, not just California.

3 The environment on our family's farming has  
4 been carefully managed since we started farming years  
5 ago. The water we use serves not only the growing  
6 crops we produce but the wildlife that makes its  
7 temporary and permanent homes there. We have geese,  
8 ducks, avasets, herons, egrets, bald eagles, and other  
9 raptors.

10 MR. BRANDT: A little slower, sir.

11 MR. ARENS: We have geese, ducks,  
12 avasets, herons, eagles and other raptors. We also  
13 have many mammals and reptiles that live and reside  
14 here in harmony with our farming practices and also  
15 need the water that is here to irrigate our crops.

16 In closing, I would like you to understand  
17 that humans, water, agriculture and the environment  
18 live under the same roof and need to co-exist in  
19 harmony. We in agriculture know the value of water and  
20 the environment, and don't do things to abuse either of  
21 them in our farming operations. No water is lost in  
22 the farming operation in this state. Remember the  
23 water equation of irrigation; plant use, evaporation,  
24 which becomes snow or rain? Runoff is used and reused  
25 as it travels to the sea, and the cycle continues.

83

1 northern state.

2 The irrigation and drainage systems we have  
3 in the northstate are the direct result of the  
4 foresight of these pioneers. There is the same amount  
5 of water on the earth today as there was eons ago. The  
6 problem is an increasing need for this resource and how  
7 to manage it.

8 In California, the people's needs are our  
9 first priority, then agriculture, and finally  
10 environment. How do we meet these increasing needs?

11 There's only one way, and that is to build  
12 more storage off stream preferably. We cannot continue  
13 to let winter runoff of this resource to run  
14 unrestricted down our rivers and streams uncontrolled.  
15 This is a waste of one of our most valuable resources.

16 All humans need clean air, water, and food  
17 to survive. Agriculture is at risk in your equation  
18 without this new storage. Twenty billion dollars of  
19 agriculture production comes from California central  
20 valleys. This is more than is produced in Kansas,  
21 Iowa, and Nebraska combined, and that's the bread  
22 basket of this nation.

23 We cannot continue to take water from  
24 agriculture to solve the problems of California. If  
25 this production of food, fiber, and fiber is lost, the

82

1 Thank you for your consideration of our  
2 thoughts on the water issues facing us today. I can  
3 only hope they will be of use to you when you decide  
4 the future of California and our nation. Thank you.

5 MR. BRANDT: Thank you, Mr. Arens.

6 MR. BRANDT: Carl Funke, Gene C.  
7 Harris and Roger Cole. Mr. Funke.

8 MR. FUNKE: My name is be Carl Funke,  
9 F-u-n-k-e. I'm a rice producer in Glenn County and  
10 also a Farm Bureau Director in Glenn County. I'd like  
11 to thank CALFED for the opportunity to express our  
12 input into this process.

13 Once again, CALFED has produced a document  
14 that is long and ideas and goals and short on  
15 specifics. And I think your video is right along the  
16 same lines. It repeats the same admission that CALFED  
17 develop and implement a long-term comprehensive plan  
18 that will restore the ecological health and improve  
19 water management for the beneficial use of the  
20 Bay-Delta system.

21 So far so good, but buried in the document  
22 it also talks about losses totaling nearly a quarter  
23 million acres as unavoidable, irreversible, and  
24 irretrievable. Also mentioned is agricultural lands  
25 nearly a million acres that would be affected by

84

1 cooperative management or environmental regulation.  
 2 But this land are isn't in the Delta  
 3 itself. The ecosystem restoration plan involves every  
 4 river that drains into the Delta region. In fact, it  
 5 involves the whole State of California. I object to  
 6 the use of CALFED funds for environmental projects all  
 7 over the state. I think that CALFED has lost sight of  
 8 its original purpose, so I'd like to offer a few points  
 9 that might help get you back on track.

10 The Bay-Delta's problems are primarily the  
 11 result of an overly ambitious plan by man to move too  
 12 much water through the Delta system without giving  
 13 adequate consideration to the effects on the  
 14 environment. CALFED'S current preferred alternative to  
 15 work in the Delta itself is a good first step towards  
 16 addressing these problems. But it will require just  
 17 one more thing, water. That brings me to my second  
 18 point.

19 Number two, there is not enough water in  
 20 the state for current future needs. Where will this  
 21 additional water come? Certainly conservation, ground  
 22 water, and water transfers can help short-term  
 23 shortages, but they will never be adequate beyond  
 24 that. Conservation and ground water extraction in the  
 25 watershed do not create new water. The only long-term

85

1 practicing environmentalist for a little over a half  
 2 century.

3 I wanted to make a couple comments on water  
 4 conservation. Our experience in Richvale has been, oh,  
 5 28 to 30 years ago we were applying ten acre feet per  
 6 acre for a crop of rice. We've, by capital investment  
 7 of the landowners and the rice industry, we now apply  
 8 four and a half acre feet, which is one third of what  
 9 it takes to irrigate a golf course.

10 Now, I think the problem with that is that  
 11 we had the tenacity to do this conservation without  
 12 government enticement or threats, so, therefore, we get  
 13 no credit for it. We have to do it all over again and  
 14 do something more, according to your program.

15 Now, I've always sympathized with those  
 16 that would like to return to the garden of Eden. But  
 17 as I recall, the population was two, and I probably  
 18 wouldn't get my choice of a partner anyway, so --

19 But if we could go back to the natural  
 20 state of things, let's remember that if we're going to  
 21 make the Central Valley natural, that means 15 feet of  
 22 water in the State Capitol in wet years, which may not  
 23 be a bad idea. And saltwater intrusion to Marysville  
 24 and Grimes in dry years.

25 Besides that, on top of that, I would like

87

1 solution is additional storage. CALFED has several  
 2 proposals under review and should move quickly to  
 3 select the best projects and begin the long process  
 4 involved.

5 If CALFED is going to succeed, it will need  
 6 the support of Northern California. Towards that end I  
 7 would also include these next two points in your next  
 8 edition.

9 California's current water rights will be  
 10 supported and abridged by any CALFED program. And my  
 11 last point, CALFED will continue to support area origin  
 12 protections that were previously stated in the Central  
 13 Valley Project and the state water project, that only  
 14 surplus water would move south. Thank you.

15 MR. BRANDT: Thank you, Mr. Funke.  
 16 Gene Harris, Roger Cole, and Larry  
 17 Domenighini.

18 MR. HARRIS: Can I start with a  
 19 green light?

20 MR. BRANDT: Welcome, Mr. Harris.

21 MR. HARRIS: Thank you.

22 MR. BRANDT: Green, go.

23 MR. HARRIS: My name is Gene Harris,  
 24 I chair the Richvale Irrigation District Board of  
 25 Directors. I'm a rice farmer in Richvale and a

88

1 to invite you to see one of the prettiest groves of  
 2 valley oaks on my property, west of Richvale, while  
 3 across the street, the property managed by Fish & Game  
 4 is full of dead fall Willows and Cottonwoods. And I  
 5 thank you.

6 MR. BRANDT: Thank you, Mr. Harris.  
 7 Roger Cole, Larry Domenighini, and Chris Johnson.

8 MR. COLE: Hello, I'm Roger Cole,  
 9 first generation person. Just a couple points here.

10 I'm President of Stream Minders, which is a  
 11 branch of the Isaac Walton League with -- stream  
 12 Minders, that's one n. Mind your manners, mind your  
 13 streams. I didn't vote for the name, but there it is.

14 I just wanted to make a few points. In  
 15 1967, a man named Anery Lovins, (phonetically), a  
 16 physicist, wrote a paper as published in Foreign  
 17 Affairs Journal, where he said that electricity  
 18 consumption would not continue to follow a straight  
 19 line, would not continue to take off as it has through  
 20 the fifties and sixties.

21 Electrical utility promptly hired people to  
 22 assassinate his character and did everything they could  
 23 to intimidate him. Fifteen years later they hired him  
 24 as a consultant for five thousand dollars a day because  
 25 he was absolutely right.

88



1 I think the same thing applies to water  
2 consumption. Water consumption is not going to  
3 continue to take off in a straight line. A good  
4 example of the comparable situation is the California  
5 Energy Commission, love it or hate it, they have saved  
6 ten billion dollars in energy since the creation of  
7 it. That's a significant number. Every year I cut  
8 firewood for my house. I can make firewood and I keep  
9 warm in two ways. I can insulate my house, or I can  
10 cut firewood. So I think it behooves us to do both and  
11 put equal effort or even more effort into  
12 conservation.

13 Conservation is the greatest source of  
14 water that is available to us. That doesn't mean that  
15 anybody should be forced to do things, but I think we  
16 need to move forward with that as strongly as we can.

17 Secondly, the flood control system we've  
18 developed in this state is amazing. California has the  
19 biggest ratio of watershed area to -- protected area in  
20 the world. I believe it's 26 to 1. There's 26 square  
21 miles in the Sierra to each mile in the valley that  
22 tends to flood.

23 So, therefore, they did a legitimate -- an  
24 amazing thing here in protecting us from floods. But  
25 we've gone too far in one sense, and that's that we've

89

1 put the levies as close as possible to the rivers and  
2 streams as we can. The rivers and streams have no  
3 room. There is no flood plain. There is very little  
4 or no riparian vegetation. These have impact,  
5 significant impacts, on our fisheries. They damage and  
6 destroy fisheries. That's why we have endangered  
7 salmon. That's one of the main reasons, in my  
8 opinion. The scientific literature clearly supports  
9 that. So we need to set levies back some distance.  
10 Maybe not, you know, a mile, not half a mile. Maybe 50  
11 feet. In many streams, the levies sit right on top of  
12 the stream banks. There is no flood plain, there is no  
13 riparian habitat.

14 You know, we've heard a lot of criticism of  
15 environmentalists tonight. We haven't heard a lot of  
16 criticism of farmers. And I don't think, frankly,  
17 that's productive, personally. We're all people. I  
18 have a lot of respect for farmers. They work hard,  
19 they produce a crop, they have a lot of responsibility.  
20 It's not an easy way to make a living. Frankly,  
21 neither is being an environmental consultant. It's not  
22 an easy way to make a living.

23 My other concern, it relates to --

24 MR. BRANDT: Mr. Cole --

25 MR. COLE: And I don't know what

90

1 documents people have been reading --

2 MR. BRANDT: -- your time is actually  
3 up. So --

4 MR. COLE: Okay.

5 MR. BRANDT: Thank you very much.

6 MR. COLE: There are significant  
7 surface water products in your documents.

8 MR. BRANDT: I'd welcome your  
9 further comes in writing. Okay. Larry Domenighini,  
10 Chris Johnson and Paul Wenger. Mr. Domenighini. Go  
11 ahead.

12 MR. DOMENIGHINI: Good evening. I'm  
13 Larry Domenighini, a Glenn County area farmer and a  
14 member of the Glenn County Farm Bureau. Thank you for  
15 allowing us to speak tonight.

16 The population of California is increasing,  
17 and the demands on the water for environmental and  
18 habitat uses are increasing. Yet the CALFED processes  
19 are all but ignoring new sources of water. Instead  
20 CALFED proposes to take water away from people through  
21 transfers, conservation, and idling of productive  
22 farmland. Above ground water storage must be  
23 addressed. Without new and substantial surface  
24 storage, California is doomed to chaos and disaster.

25 The figures suggested for water that

91

1 agriculture can conserve are flat out wrong.  
2 Agriculture has been doing outstanding work in water  
3 conservation and improving efficiency for decades.  
4 More savings from efficiency may occur, but to think  
5 that upwards of 4.5 million acre feet could be saved by  
6 agriculture means only one thing, Owens Valley  
7 throughout the Central Valley.

8 The impact of direct idling of farm land  
9 and the indirect idling through loss of water will have  
10 wide ranging impacts on the state. The people of  
11 California must be considered before these plans are  
12 finalized and implemented.

13 Hundreds of millions of dollars have been  
14 spent on piecemeal purchases of farmland. The new  
15 CALFED plan calls for hundreds of thousands more acres  
16 to be converted. That doesn't count farmland loss  
17 because of other federal, state or local policies.

18 CALFED needs to return to its original goal of  
19 conducting habitat restoration work on public lands for  
20 existing habitat. The voluntary habitat restoration  
21 programs proposed by CALFED should be truly incentive  
22 based in a way that allows both agriculture and the  
23 environment to flourish. Thank you.

24 MR. BRANDT: Thank you, Mr.

25 Domenighini. Chris Johnson, Paul Wenger and Ed

92

1 Craddock. Mr. Johnson, please.

2 MR. JOHNSON: Good evening. My name  
3 is Chris Johnson. I'm also a Director of the Glenn  
4 County Farm Bureau.

5 The CALPED agreement is going to require  
6 increased amounts of northstate water flows. But there  
7 are no current plans for additional storage  
8 construction. So how is CALPED going to get there?

9 At this time, negotiations are under way  
10 between most northstate irrigation districts with state  
11 and federal water agencies for their water supply. And  
12 most of these negotiations -- excuse me, and most of  
13 these contracts are in the process of renewal or will  
14 be up for renewal soon.

15 Unfortunately, these agencies appear to be  
16 negotiating to a price of water, that which agriculture  
17 and farming simply becomes financially impossible. My  
18 concern is that these government agencies whose  
19 representatives are involved with CALPED will use these  
20 contract negotiations as a tool to remove productive ag  
21 land and divert this water to the CALPED'S needs and  
22 flows.

23 As these discussions and contract  
24 negotiations go forward, I encourage not just these  
25 CALPED representatives seated here today, this evening,

83

1 but everyone here in this room and in the northstate,  
2 to be vigilant on this disturbing method of  
3 transferring water. Thank you.

4 MR. BRANDT: Thank you. Thank you,  
5 Mr. Johnson. Paul Wenger, Ed Craddock and Mark  
6 Kimmelshue.

7 MR. WENGER: Good evening. My name  
8 is Paul Wenger. I'm a farmer from Modesto and the  
9 second vice-president of California Farm Bureau  
10 Federation.

11 CALPED must take a more aggressive stand in  
12 pursuit of new water storage opportunities in  
13 California. The Farm Bureau believes CALPED should  
14 create new service reservoirs and expand existing  
15 reservoirs as well as explore new storage and  
16 underground aquifers.

17 It has been forwarded by some that  
18 underground water storage or conjunctive use is the  
19 only acceptable form of new water storage. However,  
20 CALPED seems to have focused on it because of that, and  
21 because it could be less expensive. However, it's not  
22 proven that underground water is really new water.

23 Farm Bureau supports ground water banking as  
24 one of the tools to manage our water resources.  
25 However, we have two concerns.

94

1 First, some people appear to view  
2 underground water banking as a substitute for new  
3 surface storage. And second, current and conjunctive  
4 use proposals don't provide enough protection for  
5 overlying property owners ground water rights.

6 As CALPED's interest in ground water  
7 banking has risen, it's commitment to new surface  
8 storage has evaporated. California cannot meet its  
9 future needs without significant new surface storage.  
10 Ground water banking can be pursued, but not at the  
11 expense of pursuing surface storage as well, and not  
12 without specific protection for landowners water  
13 rights.

14 We believe ground water banking can pose  
15 legal problems for landowners concerning controlling  
16 the water underneath their property. Any conjunctive  
17 use program under CALPED must include clear and  
18 specific protections for overlying property owners and  
19 their ability to continue pumping. CALPED must also  
20 assure that ground water management program will be  
21 controlled at the local level. This is the only  
22 acceptable way to insure technical issues, such as  
23 regional differences in hydrology and recharge methods,  
24 are accounted for in a practical way.

25 More importantly, third party impacts of

95

1 conjunctive use plans cannot be evaluated without  
2 knowing the effects on the local community,  
3 particularly where the supplies are being transferred  
4 to other areas. The Kern Water Bank is one example of  
5 a program that came together and works, because the  
6 local people wanted it and were involved in this  
7 planning at the out set. Farmers who depend on  
8 underground water must also be assured that the quality  
9 of their water will not be degraded. If poor quality  
10 water is added to underground aquifers as part of a  
11 conjunctive use program, landowners will suffer. As  
12 the computer people say, garbage in, garbage out.

13 CALPED must fulfill its promise to create a  
14 balanced program which includes new water storage, as  
15 well as conservation, and which meets the needs of  
16 people as well as fish and wildlife. Thank you.

17 MR. BRANDT: Ed Craddock, Mark  
18 Kimmelshue, and Dan Kennedy.

19 MR. CRADDOCK: Thank you, I'm Ed  
20 Craddock. I'm Director of Water and Resource  
21 Conservation for Butte County.

22 I'm here to talk to you a little bit about  
23 local control in relation to ecosystem  
24 restoration projects. Your eyes look just about as  
25 heavy as mine, so I'll be as brief as possible.

96

1 Oh, everybody got alert.  
 2 MR. BRANDT: We're listening.  
 3 MR. CRADDOCK: You know, while CALFED  
 4 states that the ecosystem restoration program will  
 5 continue to strive for local control and input for  
 6 various projects, the County of Butte is concerned that  
 7 local government and landowner interests are not being  
 8 properly sought and considered.

9 Let me be your conscious for a minute. As  
 10 the elected representatives of the people, local  
 11 government needs to take its places at the table for  
 12 your programs to be successful. Elected officials  
 13 represent and are accountable to all the citizens of  
 14 Butte County.

15 In addition, their actions are required to  
 16 be brought before the public under the mandates of the  
 17 Brown Act. In addition to that, the Board of  
 18 Supervisors is the local land use authority. They are  
 19 the ones that are empowered to make decisions on land  
 20 use changes, such as those that are being promoted  
 21 through the ecosystem restoration program.

22 Therefore, for CALFED to be successful, it  
 23 will ultimately need to involve local government in  
 24 watersheds and restoration land use decisions. To  
 25 insure that CALFED funded programs are implemented, it

97

1 Butte County has a very large concern about  
 2 this, and it has to do with the issue of no redirected  
 3 impacts. As you increase the riparian habitat along  
 4 the river, you are going to be taking out of production  
 5 very productive farmland. And what that has the effect  
 6 of doing is reducing not only the economy, because  
 7 there will be -- in Butte County, because there will be  
 8 no income from that farmland. But it also has the  
 9 effect of reducing the tax base because that land is of  
 10 less value or removed from the tax rolls altogether.

11 There is no analysis, or very little  
 12 analysis in the EIR as to how this is going to be  
 13 addressed. It also creates -- this restoration program  
 14 can also create pockets of land that are still being  
 15 farmed that will require more county services,  
 16 primarily in the -- in times of high water flows, when  
 17 people that live on these pockets of land are  
 18 potentially put in danger because of the change in the  
 19 environment around them.

20 Also, the EIR references the elimination of  
 21 levies, bank protections, hard points, bridge piers and  
 22 bridge abutments to accomplish some of these  
 23 restoration aspects. We want to remind CALFED that  
 24 these things have been put in place to not only protect  
 25 the citizens of Butte County but to protect the

98

1 is imperative that local government be involved. Found  
 2 the right page.

3 Finally, I want to say that participation  
 4 and coordination by local government will contribute to  
 5 the credibility of CALFED'S planning and monitoring  
 6 documents and safeguard their usefulness in future  
 7 implementation stages.

8 Finally, absent funding from meaningful  
 9 participation, the CALFED program could represent  
 10 another unfunded mandate passed down to local  
 11 government. And I know you don't want that, and we  
 12 don't want that. Thank you.

13 MR. BRANDT: Thank you, Mr. Craddock.  
 14 Mark Kimmelshue, Dan Kennedy and Perry Hibdon. Mr.  
 15 Kimmelshue.

16 MR. KIMMELSUE: Good evening. First,  
 17 I'd like to thank all of you for coming to Chico and  
 18 listening to our concerns and our comments.

19 My name is Mark Kimmelshue. I serve this  
 20 county and citizens of this county as a member of the  
 21 Butte County Water Commission. I'm here to talk about  
 22 one very specific topic tonight. It involves the  
 23 ecosystem restoration program, and specifically, the  
 24 river riparian restoration program and the concept of  
 25 river meander.

99

1 infrastructure, and by letting these types of things  
 2 degrade or by removing them, it causes the potential of  
 3 severe damage to infrastructure, bridges, and possible  
 4 damage to human life here in the county.

5 The potential economic and public impacts  
 6 of this restoration program need to be addressed very  
 7 thoroughly. And your directive of no redirected  
 8 impacts needs to be adhered to when dealing with these  
 9 types of projects. Thank you very much.

10 MR. BRANDT: Thank you, Mr.  
 11 Kimmelshue. Dan Kennedy, Perry Hibdon, and Joe, I'll  
 12 say Hughes? Mr. Kennedy, please.

13 MR. KENNEDY: Hello, my name is Dan  
 14 Kennedy. I'm the current Glenn County Farm Bureau  
 15 President. My wife Lisa and I farm approximately 750  
 16 acres of irrigated crops. My concern with the CALFED  
 17 proposal is there isn't sufficient water storage in  
 18 their plan. The problem with setting aside ground  
 19 during dry years to make up the need of water for the  
 20 state, even though the farm that idles ground would  
 21 possibly be on a voluntary basis and compensated, it is  
 22 the local economy that loses, too. It is short-sighted  
 23 necessary on our part as farmers to expect the flying  
 24 service, fertilizer business, tractor dealers, hardware  
 25 stores, and the list goes on, to expect that they would

100

1 still be in business is long over.  
 2 By doing so creates more than the  
 3 exportation of water south. It also shifts our whole  
 4 economy. The way I see it, is without surface water  
 5 storage to make up the need for California's continual  
 6 water demands, this proposal has no viable solution for  
 7 California's water shortage. Thank you for this time.

8 MR. BRANDT: Thank you, Mr. Kennedy,  
 9 Next one is Perry Hibdon, Joe Hughes, I think. Is a  
 10 farmer from Gridley. And the last one before we take  
 11 our next break will be Art Bullock.

12 Perry Hibdon? Anybody? Perhaps that  
 13 person is gone. Joe Hughes from Gridley? That person  
 14 is gone, too.

15 Yeah, Art, I think you might as well move  
 16 on up here. Art Bullock is next. Let's do a few more,  
 17 Bruce Smith, as well as Jason Larrabee. Mr. Bullock,  
 18 welcome.

19 MR. BULLOCK: Thank you. My name is  
 20 Art Bullock. I'm the general manager of the  
 21 Tehama-Colusa Canal authority. We're located on the  
 22 west side of the Sacramento Valley, and we provide  
 23 irrigation water to some 17 districts covering some 150  
 24 thousand acres in Tehama, Glenn, Yolo and Colusa  
 25 County.

181

1 are Southern California driven and Northern California  
 2 is expected to waste copious amounts of current  
 3 agricultural water to flush and dilute pollutants out  
 4 of the Delta. Water quality improvement to meet  
 5 current regulations has historically been the  
 6 responsibility of the end water user. CALFED's latest  
 7 proposals are a windfall for urban water uses at the  
 8 expense of agriculture.

9 We find it difficult to support a document  
 10 that takes huge amounts of water away from current  
 11 agriculture users in the Sacramento Valley and offers  
 12 absolutely nothing in return. This approach violates  
 13 essentially all of the solution principals of CALFED.  
 14 Those principals include reduced conflicts. Your  
 15 proposals do not. Equitable; your proposal is not.  
 16 Affordable; your proposal is not. Durable? Well, it  
 17 may be, but not for agriculture. Implementable? I  
 18 doubt it, but it also does pose significant redirected  
 19 impacts.

20 CALFED should look back to where it was a  
 21 couple years ago before it became unbalanced by special  
 22 interests.

23 MR. BRANDT: Mr. Bullock --

24 MR. BULLOCK: It is not time to start  
 25 over --

183

1 We are saddened and disheartened by the  
 2 current direction that the CALFED process has taken.  
 3 No longer is CALFED a consensus-building effort with  
 4 administrative and political leadership. The latest  
 5 documents appears to have been drafted by the resource  
 6 agencies and is a major step backwards.

7 Gone are the days when everyone, "getting  
 8 better together," and this policy of "no redirected  
 9 significant impacts." Preparation of the document is a  
 10 mixture of bad science and bad politics, with a few of  
 11 its shortcomings including the burden of providing  
 12 water for new environmental and urban demands has been  
 13 placed squarely on the backs of agriculture, especially  
 14 the current agriculture in the Northern Sacramento  
 15 Valley.

16 Construction of new water storage  
 17 facilities now receives only lip service. Facilities  
 18 will only be considered if all the reallocation and  
 19 conservation efforts are insufficient over time.  
 20 Without defining limits on how much conservation is  
 21 actually enough, we will never be able to determine  
 22 that it is finally time to take the quote,  
 23 "environmentally reprehensible," unquote, step of  
 24 building facilities to develop new water.

25 Thirdly, water quality improvement efforts

182

1 MR. BRANDT: -- your time --

2 MR. BULLOCK: But it is certainly  
 3 time to return to the original goals of equity,  
 4 fairness, and everyone getting better together. Thank  
 5 you.

6 MR. BRANDT: Thank you, Mr. Bullock.  
 7 Bruce Smith, and then Jason Larrabee, and then we'll  
 8 take a break. Mr. Smith.

9 MR. SMITH: My family came to  
 10 California, my great-great-grandmother came here on a  
 11 covered wagon. I got some stuff at home that she  
 12 brought with her. They moved over to the Willows area  
 13 and were farming until sometime in the early sixties.  
 14 They sold, I grew up, came to Chico, went to Chico  
 15 State, studied geology. Got into the apartment  
 16 business here in town for the last 20 years.

17 About five years ago I decided I would  
 18 start studying water, because it looked like it was  
 19 going to become a real problem. Well, it has, it has  
 20 been a real problem. And from what I'm studying, we  
 21 aren't even close to where it's headed, not even  
 22 close.

23 There are problems coming up, I took  
 24 hydrology, hydrogeology, stratigraphy. This is in the  
 25 last few years. I took -- I'm taking environmental

184

1 monitoring and toxicology, and I am blown away every  
2 time I go to a class. It is absolutely incredible  
3 what's happening.

4 One of the things, management is  
5 monitoring. There is little monitoring going on. I  
6 don't know about Southern California, Delta, but in  
7 Northern California, it's tiny compared to the demand.  
8 There are millions of dollars being spent on sending  
9 water somewhere else, and as far as I can tell from the  
10 studying, and I've talked to some hydrologists in the  
11 area that are teaching, some that have been in the  
12 business for 30 years. And the problem I find is  
13 monitoring. And if I have time, and stop me if I  
14 don't, I'm going to just read there. For wells being  
15 pumped in Northern California for transport of water  
16 south, the recharge source for the Sacramento Valley  
17 Basin is important, and I'll add, somewhat unknown.

18 In 1994, during heavy pumping and  
19 transportation, Sacramento River was a gaining stream  
20 in the north, that means waters -- gaining stream in  
21 the north. It has enough water to go, and became a  
22 losing stream around Princeton. That means it's  
23 losing. Heavy pumping and transportation south appears  
24 to upset the North Valley ecosystem by taking water  
25 from the Sacramento River. I did a little autocad,

185

1 three-dimensional study just to learn the thing, and I  
2 just happened upon an area that looked like on my  
3 scales that that's what was happening.

4 I haven't gone in to super depth, but I've  
5 talked to several people that I consider experts, and  
6 they say, yeah, that seems to be what's happening. It  
7 was under my impression this is not supposed to  
8 happen. If you pump water, it's not supposed to come  
9 from the Sacramento River. If you want water in the  
10 Delta, and you're pumping ground water from Northern  
11 California that's coming from the Sacramento River,  
12 you're doing it twice. You're sending it from Shasta,  
13 Oroville, then you're pumping it from ground water,  
14 which isn't being monitored. And then I'll finish up.

15 How much money is spent to monitor the  
16 Bay-Delta to keep it safe? My final comment, how much  
17 money is spent to monitor this area to keep it safe?

18 MR. BRANDT: Thank you.

19 MR. BRANDT: Jason Larrabee, and then  
20 we'll take a break. Let me also, just so I can tell  
21 you the people after that, Chuck Newton, John Garner  
22 and John Garner. Two different John Garners. Mr.  
23 Larrabee, please, welcome.

24 MR. LARRABEE: Good evening. My name  
25 is Jason Larrabee, Larrabee Farms, farming in the Butte

186

1 Basin. Hopefully change your attitude a little bit.  
2 Discuss a few different issues.

3 First is growth. We're going to fix the  
4 Delta, we're going to store more water, we're going to  
5 do all kinds of other things, but we're not going to  
6 control growth in the State of California? I'm just  
7 kind of curious what kind of environment and air and  
8 water quality we're going to have with 50 million  
9 people here.

10 Second thing is pesticide issues, you  
11 discussed Diazinon and Chlorpyrifos. If you'd like to  
12 maybe make some gains in this, quite possibly maybe you  
13 should remove it from the public from being able to  
14 down and pick it up from a hardware store, and using it  
15 unregulated. Whereas, if I want to use it, I have to  
16 file a notice of intent, I have to take a class, I have  
17 to pay for a permit. I have to notify the ag  
18 commissioner before I use it. He has to check up on me  
19 while I use it, and then I also have to come back in  
20 for a further reference after I'm done using it.  
21 So if you want to make a gain, you might take it out  
22 of Wal-Marts and some of the other stores.

23 Next thing is restoration. If you're going  
24 to do restoration, quite possibly it would be  
25 beneficial if it was strategic. There's no since

187

1 buying a piece of property because it's a willing  
2 seller -- excuse me, a mile or two away from the  
3 river. It makes perfect sense to buy it on the river,  
4 although that is not acceptable to most people in  
5 agriculture. It does not help the agricultural system,  
6 although it may help the environment somewhat. That is  
7 questionable and undetermined.

8 Next thing is non-native species. Salmon  
9 were just recently listed, but yet Fish & Game has an  
10 application to the National Marine Fisheries to double  
11 the population of striped bass, which is the number one  
12 known predator of salmonoids. That doesn't seem to be  
13 making a very progressive step to saving the salmon.

14 Last thing is Centerville Head Dam, and  
15 unfortunately, Mr. Evans isn't here from Friends of the  
16 River. But since the 1930's, PG & E has been doing  
17 water quality temperature monitoring and things like  
18 that, and their records indicate through those times  
19 that -- excuse me, that by having Centerville Head Dam,  
20 where the water's put into the stream down low below  
21 what is known as the Quartz Bowl, which is the natural  
22 barrier, the water is actually cooler before it reaches  
23 there than actually flowing down the stream from  
24 Centerville Head Dam, so not all dams are bad.

25 Lastly, I'd like to address levees. I

188

1 don't understand why we're going to protect the Delta  
2 and not everything else that is protected by levies.  
3 But I'm assuming that with Fish and Game due  
4 diligence, the Minton Cranbowl (phonetically)  
5 alleviated most of the problems in the Delta anyway.  
6 Thank you.

7 MR. BRANDT: Thank you, Mr. Larrabee.  
8 Okay. It is 9:35, so we will be back at 9:45 on time.  
9 And Chuck Newton and the two John Garners are going to  
10 be the ones up next. So I'll ask them to be up here in  
11 just ten minutes. Thanks.

12 (Break taken.)

13 MR. BRANDT: Green light, go.

14 MR. NEWTON: I am Chuck Newton. I  
15 have a confession. I'm one of those evil people from  
16 Southern California, from far Southern California, San  
17 Diego. I'm on the Board of the San Diego County Water  
18 Authority.

19 But I have a farming connection with Butte  
20 County. When I was in my early teens, in 1930s, I used  
21 to come up here on vacation to Paradise. And one  
22 summer I was cleaning prunes up there for ten cents a  
23 box, and I think that qualifies me as an agricultural  
24 member of Butte County. A little bit anyway.

25 San Diego is an agricultural county. Many

100

1 population has grown ten percent, and our use of water  
2 has reduced 13 percent. This past fiscal year, that  
3 ended the end of last month -- I'm getting the red  
4 light.

5 MR. BRANDT: That's the red light.  
6 I'm let you finish your sentence.

7 MR. NEWTON: All right. Thanks.

8 MR. BRANDT: Thank you, Mr. Newton.  
9 John Garner, Dan Keppen and Roger Sherrill.

10 MR. GARNER: Yeah, John Garner, I  
11 farm in Colusa County and I've been a member of the  
12 Farm Bureau there. And -- still got that red light  
13 going. I shouldn't give you up time, but I -- but at  
14 any rate, I want to reiterate what I said before about  
15 California being a national resource as far as  
16 supplying over 50 percent of the fresh fruit and  
17 vegetables for the nation. And when we talk about the  
18 increase in population of California, it's kind of a  
19 selfish thought, because really when the increase in  
20 the population of the United States occurs, we should  
21 be considered as a food source for the rest of the  
22 nation, as well as the rest of the world for a clean,  
23 consumer safe product.

24 But I'll refocus on our county, which is  
25 Colusa County, It's got about 15,000 people. We are

111

1 people forget that. The value of agriculture in San  
2 Diego County is one billion, one hundred million  
3 dollars a year. Our farmers do that with -- I lost my  
4 numbers. They do it with about five hundred thousand  
5 acre feet of water for the County, and about 150,000  
6 acre feet for agriculture.

7 Across the mountain in Imperial Valley,  
8 they use three million acre feet of water to do about a  
9 billion dollars worth of agricultural business.

10 However, that's okay, because they grow  
11 alfalfa and grasses and things that take a lot of water  
12 and send them over to our dairy people. And so we need  
13 them as well as they need us.

14 We're buying, as you may know, two hundred  
15 thousand acre feet of water from the Imperial Valley  
16 starting in, probably in the next couple of years. It  
17 will be conserved water. And it cannot be fallowed, it  
18 will be conserved water. I think it's interesting that  
19 they can conserve that water along with about 200,000  
20 acre feet of conserved water, that they will be able to  
21 conserve without fallowing. Depends on the kind of  
22 crops, and they may change some of their crop  
23 rotation.

24 Now, conservation is nothing new to us in  
25 San Diego county. In the last ten years, our

110

1 totally reliant on agriculture. There is one small  
2 cable plant there. But for the most part, with any  
3 kind of fallowing of ground could drastically reduce,  
4 not just agriculture.

5 When you think of third-party impacts, you  
6 tend to think of agriculture and tractor companies and  
7 that type of thing. But the reality of it is it  
8 affects a lot of people. It affects the farm workers,  
9 and I've heard no one mention the farm workers tonight,  
10 and their children, and the schools. And when you're  
11 talking about a small county of only 15,000 people, and  
12 that's totally dependent on agriculture, it seems to me  
13 that to go through this process without considering new  
14 storage is fairly short-sighted.

15 The third thing is, I wanted to bring up  
16 about the consensus aspect of CALFED. And consensus to  
17 me usually means that everybody has got to get along,  
18 and if anybody gets upset, they can sort of veto the  
19 process. Which we found to be very accurate, in the  
20 sense that if the environmental community really wants  
21 to stop something, or protect something that the Delta  
22 smelt, they can use the ESA as a hammer and sue us and  
23 slow that water, almost shutting agriculture down in  
24 the San Joaquin this spring. The federal agencies,  
25 like the National Marine Fisheries, Bureau of

112

1 Reclamation, there is very little leadership in those  
2 organizations to the extent that nobody can pull the  
3 trigger. They basically love to regulate, but they  
4 won't come out and give us an accurate figure of how  
5 much water they really feel is necessary.

6 The fisheries, how much water do you need?  
7 We don't hear these kinds of things. And so you turn  
8 around, and this CALPED thing, it seems to me won't  
9 work as long as those agencies are unwilling to make a  
10 decision and just try to incrementally reduce  
11 agriculture by following the ground. And if that's the  
12 way it's going to keep going without showing us what  
13 they need for water and putting some limits on  
14 themselves, basically agriculture and the taxpayers who  
15 are footing this bill will probably see you in court.  
16 Thank you.

17 MR. BRANDT: Thank you, Mr. Garner.  
18 Dan Keppen, Roger Sherrill, and Ernie Owen.

19 MR. KEPPEN: Hi. Thanks for coming.  
20 I admire your fortitude tonight. My name is Dan  
21 Keppen. I'm Director of member and government  
22 relations with the Northern California Water  
23 Association. And in the mood of things tonight, my  
24 three-year-old son is a 7th generation Californian,  
25 born in Chico, so try to top that.

113

1 Our organization represents about 88 water  
2 districts, individual water users, mutual water  
3 companies scattered throughout the Sacramento Valley  
4 collectively irrigating close to a million acres  
5 total.

6 I've got three concerns I'd like to talk  
7 about. I've been working on this CALPED process for  
8 the last three years, especially this summer, pouring  
9 through this document. And sometimes I think when  
10 you're this close to an issue, you get so absorbed that  
11 you can't step back and look at the big picture.

12 And the big picture kind of came to me  
13 recently when I looked at a table in a CALPED document  
14 which shows all of the various alternatives and  
15 programs that are proposed. Conveyance was really the  
16 only program that is looked at in multiple alternative  
17 format. Everything else is basically assumed to  
18 happen. And some of those programs are actually some  
19 of the most contentious ones in my view. I'd like to  
20 talk briefly about a couple of issues.

21 One of those programs, first of all, is  
22 storage. And we -- I'm not going to repeat myself. I  
23 think you're getting the message that folks up here  
24 would like to see storage.

25 I'd like to take a little bit about some of

114

1 the benefits that aren't so obvious. There is obvious  
2 water supply benefits.

3 Off-stream storage on the west side of the  
4 Sacramento Valley provides flood control indirectly by  
5 perhaps opening up space in Oroville and Shasta and  
6 using water supply out of the new facility. And that's  
7 very valuable to the Sacramento Valley.

8 From an environmental standpoint, being  
9 able to use sites or an off-stream reservoir, allows  
10 you to use stored water to provide west side water  
11 needs, which gives you flexibility on the river. You  
12 may not have to divert water out of the river, you can  
13 leave colder water in-stream for environmental flows.

14 So people talk about dams being so bad.  
15 Really, dams, an off-stream storage facility properly  
16 sited could have some net environmental benefits.

17 Briefly, environmental restoration, CALPED  
18 needs to take a look at the big picture and show what's  
19 happening right now. We've done an analysis in our  
20 office that shows already there has been 288,000 acres  
21 of land acquired for habitat purposes in the Sacramento  
22 Valley.

23 There is another 118,000 programs --  
24 118,000 acres proposed under programs that we know  
25 about. CALPED'S acreage in the Sacramento Valley is

115

1 only about 38,000 of that, which isn't much. But there  
2 is a lot of other things going on out there, and CALPED  
3 needs to take a look at those impacts, especially with  
4 some of the wetlands programs.

5 Local involvement, absolutely necessary in  
6 ground water and in some of these watershed programs  
7 and restoration programs. The County's land use  
8 authority and the Water district's water use authority  
9 has to be respected, and you can't have groups out  
10 there getting CALPED funding, doing these projects  
11 totally separate from any kind of county involvement.

12 So in closing, I would like to say, first  
13 of all, that we're encouraged by other things in  
14 CALPED. We're not totally throwing up our hands. We  
15 see this document as perhaps the first eight innings of  
16 a ballgame. Hey, last sentence. It's a long sentence.

17 We're coming into the ninth inning, and I  
18 think that with the kind of public effort that we're  
19 seeing here tonight, we can still win this ballgame.

20 MR. BRANDT: That's one heck of a  
21 sentence, Mr. Keppen. Roger Sherrill, Ernie Owen  
22 and Homer Lundberg. Mr. Sherrill, welcome.

23 MR. SHERRILL: I'm Roger Sherrill.  
24 I'm general manager of Rio Alto Water District, and I  
25 am also -- Rio Alto Water District. I'm also the

116

1 chairman of the technical advisory committee for Tehama  
2 County Ground Water Management Program.

3 Several issues tonight. One, I think  
4 significant off-stream storage north of the Delta must  
5 be a part of CALFED'S long-term preferred alternative  
6 solution. We have been asked to adopt the wait-and-see  
7 policy regarding surface water storage. Wait and see  
8 what the integrated storage investigation holds. Wait  
9 and see if the water conservation water use efficiency  
10 programs work.

11 You're asking us to review and comment on a  
12 CALFED EIR which is grossly lacking. Released without  
13 an adequate description of storage component.

14 Off-stream surface water storage must move forward in  
15 concert with conjunctive views ground water storage  
16 options. Now, not at some later date, if and when  
17 other solution components prove that it is absolutely  
18 necessary.

19 We will not adopt a CALFED wait-and-see  
20 option. CALFED must provide a balanced, well-defined,  
21 cast-in-concrete assurances that local stake holders  
22 water rights and area of origin protections will be  
23 left fully intact now and in the future.

24 The CALFED solution must build the  
25 infrastructure up front that will provide such

117

1 you.

2 MR. BRANDT: Thank you, Mr.  
3 Sherrill. Ernie Ohlin, Homer Lundberg and John  
4 Repanich.

5 MR. OHLIN: Good evening.

6 MR. BRANDT: Mr. Ohlin, welcome.

7 MR. OHLIN: My name is Ernie Ohlin.  
8 I'm with the Tehama County Flood Control and Water  
9 Conservation District, and we have prepared documents  
10 to send to you, and I'm just read a few of the excerpts  
11 from that document just for reference tonight,  
12 although many of it is quite repetitive from what  
13 you've heard today -- to time.

14 Specifically, what benefits does the CALFED  
15 proposal solution bring to Northern Sacramento Valley?  
16 In its current form, there appears to be limited  
17 benefit in this plan for Northern California water  
18 users. The preferred alternative provides no real new  
19 water for our region and advocates that water and land  
20 will be removed from agriculture to compensate for  
21 Bay-Delta problems that were not caused by our  
22 actions.

23 CALFED has activated that we all get better  
24 together with no redirected impacts. Not only are we  
25 not getting better together, but our region bears the

119

1 assurances. Then mandate by well-defined, legally  
2 binding policy how local stake holders will be involved  
3 with the implementation and long-term management of  
4 CALFED projects within their area of jurisdiction.

5 We are marginally encouraged by framework  
6 for water use efficiency program that is incentive  
7 based, has measurable objections, and is governed by  
8 economic feasibility. We can only hope that such a  
9 program is fully endorsed by the environmental and  
10 urban interest, and that these two interests are  
11 willing to meet the equally stringent water efficiency  
12 standards.

13 And, finally, we would like to make sure  
14 that there are no misconceptions with CALFED. The  
15 release August 6 of a North/South tox letter to CALFED  
16 requires comment. We believe that this letter authored  
17 by a handful of people behind closed door does not  
18 represent the concerns of our district nor the primary  
19 concerns of Northern Sacramento Valley.

20 In bold contrast to this letter, we believe  
21 that the CALFED program currently offers a promise,  
22 vague as it is, of an equitable solution to the water  
23 problems of the Bay-Delta in California. Our district  
24 and many others in the Northern Sacramento Valley will  
25 continue to work diligently towards that goal. Thank

118

1 brunt of the redirected impacts. We feel that the  
2 proposed solution emphasizes the interests of the  
3 Bay-Delta and the exporters that rely on it.

4 We're very alarmed by the lack of any new  
5 surface storage, the lack of flood control in the  
6 northern part of the state, and the total lack of local  
7 input, Federal and state are running the show, but the  
8 local people from the grass roots that you will  
9 ultimately have to deal with, and the effects of what  
10 you're doing are being totally left out of the picture,  
11 except at forums like this. They are not part of your  
12 decision making process as you're moving along.

13 The Northern Sacramento Valley water is a  
14 critical community resource. The CALFED Bay-Delta  
15 solution must employ a storage of conveyance scheme  
16 that provides new water, not a reallocation of existing  
17 water. It's far-fetched to think that we can just move  
18 water around and call that new water, when really new  
19 surface storage is the only way to accomplish that.

20 The proposed solution must improve flood  
21 prevention to the development of surface storage,  
22 improve operation of proposed facilities, and enhance  
23 the operation of existing flood control facilities.

24 The mitigation policy must be implemented  
25 that insure guarantees to take care of instances where

120



1 you have harmed people, and there is guarantees of ways  
2 to resolve that. We in Tehama County are extremely  
3 concerned about ground water, as evidenced by the  
4 Tehama Baldwin decision, which I would assume that  
5 you're familiar with, and that we certainly hope that  
6 that will not have to be a similar type decision in the  
7 CALFED process, you know, coming to date.

8 We want to be part of the solution, not  
9 part of the problem. But we really feel that, as  
10 you've heard, local involvement is here at every  
11 hearing you're going to, and we really encourage that  
12 you kind of come back out to us to help you resolve the  
13 issue. Thank you.

14 MR. BRANDT: Thank you, Mr. Ohlin.  
15 Homer Lundberg, Joe Repanich --

16 MR. LUNDBERG: Hi, I'm Homer  
17 Lundberg.

18 MR. BRANDT: Let me just finish one  
19 real quick. And Bud Hagen.

20 Please, go ahead, Mr. Lundberg.

21 MR. LUNDBERG: Yeah, I'm Homer  
22 Lundberg from Lundberg Family Farms, also a board  
23 member on Western Canal Water District, that got the  
24 wonderful commercial in the presentation earlier this  
25 evening.

121

1 ways that are irreversible. Some of these changes are  
2 caused by the fact that it's all been urbanized in that  
3 area, which increases water needs and also increases  
4 drainage from roofs, streets, parking lots, and that  
5 type of thing, and their return flows from industrial  
6 and sewage plants. And then also, the introduction of  
7 exotic species into the bay, especially striped bass,  
8 Asian clams, and now the Hittin crab.

9 Other facts that are not presently given  
10 the attention they deserve is the fact that there  
11 presently is not adequate water supplies to serve the  
12 needs of California without overdraft. Also, we should  
13 not give up our self sufficiency in food production to  
14 put water to use in other areas.

15 River meander will not improve the  
16 environment. The California environment never was the  
17 way some people would like us to believe it was.  
18 People are part of the environment, and we cannot  
19 return to a California of two hundred years  
20 agriculture. Two aphorisms I'd like to link together  
21 is one --

22 MR. BRANDT: I think you can only do  
23 the one. Time's up.

24 MR. LUNDBERG: You don't appreciate  
25 water until the well goes dry, and experience is the

123

1 Because of the lateness of the hour, and  
2 the fact that you've heard it all before, I'm only  
3 going to read the headings and not expand.

4 First of all, back 40 years ago when I was  
5 in college, a friend of mine used to say, as a point of  
6 ridicule, "That fella has a firm grasp of the  
7 obvious."

8 Well, you know, I think there are some  
9 object things that aren't getting the attention they  
10 deserve. Some of them have been mentioned this  
11 evening, so I'll just read the headings.

12 Population of California is increasing at  
13 the rate of half a million people a year. Water  
14 supplies are actually decreasing, with the demand for  
15 greater in-stream flows and the fact that we're over  
16 drafting our aquifer in a normal year, over a million  
17 acre feet a year.

18 I think the other point is the fact that  
19 with this increase in need and a decrease in supply, we  
20 have a growing time bomb on our hands that is going to  
21 explode when the next drought arrives. Not if the next  
22 drought arrives, but when the next drought arrives.

23 Another obvious fact that doesn't get much  
24 attention is the fact that the Bay-Delta environment  
25 has changed radically over the last century in many

122

1 best teacher, but fools learn no other way.

2 MR. BRANDT: Thank you, Mr. Lundberg.  
3 John Repanich. I may have said that right. Now if you  
4 correct me --

5 MR. REPANICH: Repanich.

6 MR. BRANDT: Repanich? Okay, thank  
7 you. Let me just finish with Bud Hagen and John Gentry  
8 are coming up. So, please, Mr. Repanich.

9 MR. REPANICH: Okay. My name is  
10 John Repanich. And I thank you for at least appearing  
11 not glazed over. I have one little bit of information  
12 to talk to you about Senate Bill 1006 and the  
13 management plan for the Sacramento River. I was and  
14 still am a representative appointed by the Department  
15 of Food and Agriculture as the land owner  
16 representative working on the development of the  
17 management plan of the Sacramento River, commonly known  
18 as 1006. And you've heard that referred to this  
19 evening.

20 CALFED has adopted the 1006 plan as its  
21 method to address the management of the Sacramento  
22 River, and that's good. But I don't think you  
23 recognize possibly what you may be doing in your EIS  
24 and EIR problematic drafts that may be bad as addressed  
25 in the 1006 process.

124

1 1886, as it's moving forward, is moving to  
2 a management directed by appointees of the Boards of  
3 Supervisors of the local counties to direct the  
4 management of the Sacramento River according to all of  
5 the goals and objectives that were adopted by all of  
6 the agencies that were in the process of the management  
7 plan development.

8 Now, as the management plan moves forward,  
9 through this nonprofit organization, that will be  
10 directed by local individuals appointed by the Board of  
11 Supervisors. They will develop plans and processes  
12 that will be recommended to CALFED for implementation  
13 and funding.

14 The problem is, that if CALFED cherry picks  
15 amongst the list of programs that these people have put  
16 forward as the management land program for the  
17 Sacramento River, you may be negatively impacting the  
18 EIS and the EIR, because the plans and goals put  
19 forward do already address the same things that you  
20 have addressed in the EIS and the EIR.

21 The implementation as it's moved forward by  
22 the local individuals will specify what they believe is  
23 the most important to accomplish these goals. And if  
24 you cherry pick, you can disturb the process. You  
25 already have done that in your past by cherry picking

125

1 the district has largely been relying upon deliveries  
2 of state water to meet service area demands.

3 However, over the last decade Calleguas,  
4 along with other water management agencies throughout  
5 the region, has made significant and unprecedented  
6 progress in the areas of conservation and alternative  
7 supply develop.

8 Millions of dollars have been spent in  
9 recent years on various types of conservation efforts  
10 from low flow plumbing fixtures retrofit programs to  
11 public information campaigns. Additionally, area  
12 agencies have made substantial investments in the  
13 development of recycled water and conjunctive use  
14 programs.

15 An overwhelming majority of these programs  
16 are designed with the primary objective of reducing the  
17 region's reliance on imported water supplies. We share  
18 the same concerns that numerous water agencies  
19 interests have expressed over the last few weeks during  
20 the public review process for the environmental  
21 documents.

22 We believe the documents provide no  
23 assurances whatsoever. That issue is vitally important  
24 to urban water suppliers, primarily water quality and  
25 supplier reliability will be adequately addressed by

127

1 only to fund some of the restoration projects and not  
2 choosing to fund some of the more important projects  
3 that were also moved forward under 1886.

4 My final point is as you go forward  
5 supporting the 1886 process, as your method to  
6 implement the Sacramento River plan for management,  
7 don't cherry pick on what the local people are advising  
8 you to implement. Take it as it is and move it  
9 forward. Thank you.

10 MR. BRANDT: Thank you. Bud Hagen? I  
11 don't see Mr. Hagen. John Gentry? John Gentry  
12 anybody? How about Eric Bergh? After that is Jin  
13 Goodwin and Lisa Watkins. Mr. Bergh, welcome.

14 MR. BERGH: My name is Eric Bergh,  
15 I'm the manager of resources for the for the Calleguas  
16 Water District out of Ventura County. Calleguas  
17 Municipal Water District.

18 MR. BRANDT: I think you might want  
19 to spell that one.

20 MR. BERGH: Calleguas,  
21 C-a-l-l-e-g-u-a-s, Water District. Calleguas is a  
22 wholesale water supplier providing urban and  
23 agricultural water service to over one half million  
24 residents within the cities of Siski Valley, Thousand  
25 Oaks, Oxnard, Canarillo, and Moorpark. Historically,

126

1 the preferred program alternative.

2 But we truly believe in recent years,  
3 California water agencies have demonstrated their solid  
4 commit to water use efficiency. The current CALFED  
5 proposal lacks any firm commitments. We can not  
6 afford to accept a plan of action for the Bay-Delta  
7 that does not explicitly provide assurances to  
8 continuously improve Delta water quality, which is  
9 essential to insure compliance with the future drinking  
10 water standards and enable cost effective water  
11 recycling programs.

12 As such we urge the incorporation of  
13 specific implementation and actions in the record of  
14 decision that will ultimately result in the achievement  
15 of certain water quality targets, including 225 parts  
16 per million for TDS.

17 With respect to supply reliability, we felt  
18 it imperative that the capacity at the bank's pumping  
19 plant be fully expanded to 18,300 cubic feet per second  
20 by the end of stage one.

21 Moreover, we see a no-surprises regulatory  
22 policy to eliminate the current regulatory induced  
23 uncertainties and insure no additional losses of water  
24 supply.

25 Specific commitments to these elements in

128

1 additional storage capacity should also be included in  
2 the record decision. As for the allocation of costs  
3 for the various components of the CALFED solution,  
4 obviously, they must be equitable to receive support  
5 from the municipalities within the Calleguas service  
6 area, CALFED must clearly demonstrate by the time of  
7 the Record of Decision, that stage one and long-term  
8 actions provide a beneficial value for those who are  
9 asked to pay.

10 Lastly, our perception is that all parties  
11 realize that the CALFED process is the best and perhaps  
12 last opportunity to develop a truly comprehensive  
13 equitable solution for the Bay-Delta. However, we are  
14 troubled by the current direction of CALFED and fear  
15 this may lead to further paralysis by analysis. Thank  
16 you.

17 MR. BRANDT: Thank you, Mr. Bergh.  
18 Okay, Jim Goodwin. Lisa Watkins? Is she still here?  
19 Okay. Let's -- Rosalie Cartwright? Is she still  
20 here? You'll be up in just a minute, but, Mr. Goodwin,  
21 welcome.

22 MR. GOODWIN: Thank you. I am Jim  
23 Goodwin, I am representing the Chico Chamber of  
24 Commerce. With nearly a thousand active members, the  
25 Chico Chamber is one of the largest business

129

1 In Oroville at the April CALFED meeting,  
2 there was quite a discussion about how CALFED would  
3 determine if there was local support for water  
4 transfers. There was not a solution acceptable to the  
5 audience at that time.

6 However, our group found a solution by  
7 accident. Here is a petition that deals with the risks  
8 of water transfers and the protections necessary for  
9 the citizens who will be the third parties, and who  
10 have no benefit from water sales.

11 These are signatures of more than four  
12 thousand people who signed the petitions, gathered by a  
13 small group of volunteers in a short time. We who are  
14 third parties want Butte County to protect our ground  
15 water and all of us from impacts from water transfers  
16 and sales. We do not want to enrich a few water  
17 sellers by depleting a public resource and jeopardizing  
18 the health of our aquifer and prosperity of our  
19 communities.

20 The petition and four thousand signatures  
21 were presented to the Butte County Board of  
22 Supervisors, who turned them over to the Water  
23 Commission for discussion. There has been no public  
24 discussion or acknowledgement of the concerns on the  
25 petition. It is appalling that four thousand people

131

1 development and advocacy organizations in Northern  
2 California. And I am here because, like most of the  
3 speakers tonight, our Board of Directors is concerned  
4 within the CALFED proposal there is a lack of priority  
5 given to new storage. And, in fact, they are concerned  
6 that the regulatory presumption underlying the entire  
7 process is that any additional storage should come last  
8 after all alternatives have been exhausted.

9 Our Board of Directors disagrees. The  
10 Chico Chamber of Commerce supports building and  
11 maintaining new surface water storage facilities as  
12 part of any overall state water solution. And we  
13 believe that new storage must come before new  
14 conveyance facilities are considered and not after  
15 conservation efforts are exhausted. So I thank you for  
16 your consideration.

17 MR. BRANDT: Thank you, Mr. Goodwin.  
18 Right to the point. Okay.

19 Rosalie Cartwright. Welcome, Ms.  
20 Cartwright. Then it's going to be Van Tenney, and then  
21 Hannah Cheney. Ms. Cartwright.

22 MS. CARTWRIGHT: Rosalie Cartwright,  
23 Chico/Durham area almond grower, co-chairman California  
24 Communities For Water Protection, Chico/Durham Library  
25 Group.

130

1 trying to communicate with their government are being  
2 ignored so blatantly.

3 Four thousand is a very significant  
4 number. It takes only about two thousand more to put  
5 an initiative on the ballot. This is the information  
6 that CALFED was seeking. Four thousand and more  
7 citizens fear and do not want water transfers.

8 How does CALFED deal with a situation in  
9 which the ground water users are not provided  
10 protections by local government, while local government  
11 has already approved a permit fee for water sellers to  
12 sell water.

13 I'm giving you a copy of the petition that  
14 was circulated. This petition shows the community  
15 standard and definition for local control. If the  
16 contents of this petition and four thousand signatures  
17 are ignored for Butte County, CALFED will completely  
18 lose its credibility about what it has repeatedly been  
19 saying concerning local support and voluntary water  
20 transfers. Thank you.

21 MR. BRANDT: Thank you. Are we going  
22 to get a copy of that petition? It would be helpful  
23 for the record. Either here, or you can send it to us.

24 Okay. Van Tenney, Hannah Cheney, and then  
25 Barbara Vlanis. Mr. Tenney, welcome.

132

1 MR. TENNEY: Thank you, my name is  
 2 Van Tenney, I represent Glenn-Colusa Irrigation  
 3 District. I want to thank you all for coming tonight  
 4 and staying this late. I guess the lesson learned  
 5 tonight is don't come late to the meetings.  
 6 I have mixed emotions about this process.  
 7 I work very diligently on CALPED, belong to four  
 8 different committees, and feel proud of what I've  
 9 contributed, what I've spent my time doing on those  
 10 committees. And I think there is a work product that's  
 11 coming out of CALPED that is really worthwhile.  
 12 Having said that, I am, as a member of the  
 13 northstate, and representing Glenn-Colusa, the largest  
 14 diverter on the Sacramento River, I am terribly  
 15 concerned that if we don't have storage in this  
 16 document, it's not going to happen.  
 17 I think the numbers aptly demonstrate that.  
 18 I'm not sure why the environmental community and some  
 19 others in the state don't understand that or don't see  
 20 the numbers the same way. But even if you argue over  
 21 the numbers that come out of Bulletin 168, showing  
 22 about a six and a half million acre foot shortage in a  
 23 drought year, even if it's 1% or 2% percent wrong, the  
 24 numbers that I'm seeing in the independent review panel  
 25 that CALPED put together don't come close to producing

133

1 that much water, if all of the water that was  
 2 identified could be made available. But it's not  
 3 economically feasible to do that anyway.  
 4 So under any set of numbers or  
 5 circumstances, I think all indicators are that we need  
 6 storage. And I'm terribly concerned that the good work  
 7 that I see coming out of CALPED -- and you've heard  
 8 some of it here tonight. I think some of the ideas  
 9 that have come out of the ag use efficiency work group,  
 10 and which were shifting from a command control type of  
 11 decision over to an incentive program has terrific  
 12 merit.  
 13 I think it has great opportunity, because  
 14 we leave behind the hammers of the regulatory process  
 15 in which agriculture just gets beat over the head to  
 16 reach ever higher efficiency levels, and we move over  
 17 to an incentive program that truly makes it worth their  
 18 while and something happens, something gets done.  
 19 That's just one example, there are others.  
 20 I think the conjunctive use program, while we're not  
 21 there yet, we haven't reached the final stage, I see  
 22 great progress in that program. I think there is  
 23 conjunctive use opportunity, if done right, if third  
 24 parties are protected.  
 25 And I think, as I've watched the process

134

1 over the last couple of years, we are moving together.  
 2 We are gaining an understanding that happens only  
 3 through collaboration.  
 4 So, again, thank you for coming. We're  
 5 going to submit our own comments later, so you'll have  
 6 a more complete reaction to the document, but  
 7 appreciate your time. Thank you.  
 8 MR. BRANDT: Thank you, Mr. Tenney.  
 9 Hannah Cheney? Hannah Cheney here? Okay. How about  
 10 Barbara Vlanis? Is that you from the back? Okay,  
 11 welcome. And then let me just read, David Bergh? Wait  
 12 a minute, didn't we --  
 13 PANEL MEMBER: We already did  
 14 David.  
 15 MR. BRANDT: Yeah, that's what I  
 16 thought. Nora Burnham. Jim Brobek. Welcome, Ms.  
 17 Vlanis.  
 18 MS. VLANIS: Thank you. I'm the  
 19 Executive Director for Butte Environmental Council. We  
 20 have over eight hundred members in our region.  
 21 Some concerns. If CALPED doesn't address  
 22 the past, present, and planned activities on our land,  
 23 California will continue to live on a water credit  
 24 card, careening toward environmental and economic  
 25 bankruptcy. Massive corporate farms and urban sprawl

135

1 have devastated the landscape of this state. More  
 2 outrageous and costly dams and conveyance systems are  
 3 not the solutions to irresponsible economic policy and  
 4 land use plan.  
 5 We must revisit the foolish subsidies to  
 6 corporate agriculture that found it could farm in the  
 7 desert by devastating their own aquifer, sucking the  
 8 San Joaquin river dry and then demanding more water  
 9 from the Delta and the north.  
 10 We must also demand the end to urban sprawl  
 11 in the state to help stop the addiction that Sue Hutton  
 12 referred to. And I refer you to a Carmichael residence  
 13 down in the Sacramento area used 283 gallons of water  
 14 per day compared to an average of 128 gallons used by  
 15 average Americans.  
 16 The suggestion that the market will be  
 17 California's salvation makes me shudder. The market  
 18 does not provide for the health, safety or welfare of  
 19 the public or the environment. The market provides the  
 20 greed factor, as witnessed by the ongoing building and  
 21 flood plains in California, which is also subsidized by  
 22 the public.  
 23 I'm deeply concerned about the impacts that  
 24 potential out-of-basin transfers will be on the area of  
 25 origin environment. We views transfers as a short-term

136

1 fix for other mismanaged water projects and land uses,  
2 with long-term consequences to our native habitat.  
3 If water sellers, developers, and  
4 agribusiness have their way, CALFED in the guise of  
5 repairing the Delta may deface the northstate landscape  
6 with massive water transfers, new dams, reservoirs, and  
7 canals subsidized by taxpayer dollars.

8 Water transfers have the potential to  
9 destroy the local environment and family farms by  
10 lowering ground water radically in areas of origin.

11 CALFED must maximize environmentally  
12 friendly ways to capture and store water through  
13 watershed restoration.

14 CALFED must require that logging practices  
15 and residential development not degrade watersheds, an  
16 ongoing problem in California, which will continually  
17 necessitate restoration.

18 CALFED must acknowledge that new water does  
19 not exist, except through watershed restoration. Water  
20 will either be taken from one environment for another  
21 or reclaimed from existing uses. And CALFED must  
22 prioritize restoring the environment.

23 Wetlands, for example, act as natural  
24 sponges and slowly recharge water basins below ground.  
25 California has destroyed more wetlands than any other

137

1 to help with the Delta. It's being stored.

2 I'm not opposed to farmers or agriculture.  
3 I love food. We need farmers. We need all of them to  
4 grow the food to meet the needs of Californians. But I  
5 don't understand why some of them are greedy and want  
6 to sell the water. And they are hurting the small  
7 farmers. It's the rich farmers, the corporate farmers,  
8 that are making the money out of selling Butte County's  
9 ground water.

10 We had a well go dry after five years out  
11 in the foothills by Butte College, and I don't know  
12 why. Is that because the ground water is being sold  
13 away? I'm not near Durhan exactly, but I'm close  
14 enough that it makes me wonder.

15 And then I also wonder about Mexico City,  
16 with the population there, they are sinking. I mean,  
17 it's -- it was built on a lake bed, and now it's under  
18 ground. I mean the City of Mexico City is just going  
19 lower and lower every year.

20 I would like to, you know, concur with Lynn  
21 Barris and the conservationists. You notice I'm  
22 wearing a pin here. We have to put water meters in  
23 Sacramento and all the other cities that don't have  
24 them in the Valley. We just have to. They can't be  
25 wasting water, when everyone else conserves it. And

138

1 state in the nation. Wetland preservation and  
2 restoration is good for the environment, water supply  
3 and water quality. Thank you.

4 MR. BRANDT: Thank you, Ms. Vlanis.  
5 Mora Burnham? Okay. Jim Brobek, and then Holly  
6 Reiners. Is Holly Reiners still here? Well, we'll  
7 keep going. Welcome, Ms. Burnham.

8 MS. BURNHAM: My name is Mora  
9 Burnham, I'm a citizen of Butte County, and I'm also a  
10 Board of Director member for the Butte Environmental  
11 Council. And I'm here to say that I'm opposed to the  
12 building of any new dams or expanding the dams that are  
13 locally in the northstate.

14 Also, the water -- the off-site water  
15 storage, for a few reasons. For the dams that we have,  
16 I -- for recreation reasons, I don't want to go out in  
17 a motorboat and ride around, and put gas into the  
18 river. I'd rather hike along the stream that used to  
19 be there, or fish along the stream that used to be  
20 there. So for recreational purposes, it doesn't meet  
21 my needs.

22 For the off-storage water, I think that's  
23 going to divert too much water out of the Sacramento  
24 River, which will harm the fisheries, and then it also  
25 will not be providing enough water to move downstream

138

1 we, you know, we can't make just the farmers conserve,  
2 but people have to conserve as well.

3 And then one more point. I noticed earlier  
4 you're all drinking bottled water. Fifteen, 20 years  
5 agriculture, Chico had the best water in the state when  
6 we all moved -- you know, when we used to just drink it  
7 out of the faucet. Now none of us do. We're afraid to  
8 drink it, the nitrates, and we had to trust our city  
9 government and our county government to be monitoring  
10 it, and they didn't do it, you know, and the City Water  
11 department, they didn't do a good enough job. There's  
12 too many nitrates, too many pollutants in the ground  
13 water. So we can't drink the water, and you're not  
14 drinking it either. Thank you.

15 MR. BRANDT: Thank you, Ms. Burnham.  
16 Okay. Jim Brobek? Don't see Jim Brobek. Holly  
17 Reiners -- Reiners (pronouncing)? Don't see Holly  
18 Reiners. How about Ed Owens? Okay. No Ed Owens. D.  
19 A. Tuna. I saw him. There he is. Welcome, Mr. Tuna.

20 MR. TUNA: My name is D. A. Tuna,  
21 I'm the Libertarian party candidate for Congressional  
22 District 3, formerly representative by Vic Fazio, now  
23 represented by Doug Ose.

24 I think it was about forty-seven hundred  
25 people in District 3 that voted for Ross Crane in '98.

140

1 Ross is 75 this year. Tells me he's slowing down. But  
2 we've got an alternative for these folks here that are  
3 worried about transferring water out of the district.  
4 We Libertarians tell them, you ought to be worrying  
5 about losing your property rights and transferring your  
6 decision-making authority to manage your own land to  
7 groups like CALPED, who would love to tell you how to  
8 do it, and carry out the programs of people who aren't  
9 so close to the land. You know, I think about 66  
10 percent of the people in District 3 actually live in  
11 Sacramento. They are not farmers. And they read  
12 things like a letter I got a couple of days ago from a  
13 fella by the name of Carl Pope.

14 Now, I've read what Carl Pope has written  
15 in his Sierra magazine. I've also seen him on TV, a  
16 nice-looking fellow. You wouldn't guess he was a  
17 communist. But that's -- that's what -- well, he  
18 doesn't say he's a communist, but he doesn't like  
19 property rights. And You take away property rights,  
20 and that's what you've got.

21 So here's what Carl Pope says, and this is  
22 what people in the cities believe, you know. He tells  
23 then Congress is governed by anti-environmentalists.  
24 Can you believe that? Where do all these environmental  
25 laws come from if Congress is governed by

141

1 anti-environmentalists. That's -- that's got to be a  
2 lie. Here he says, "There is not enough private  
3 dollars to purchase and preserve the millions upon  
4 millions of endangered acres that need to be saved.  
5 Our government is the only entity with the resources  
6 and funds."

7 Now, where do you suppose those funds are  
8 coming from, necessary to save the vast acreage of our  
9 nation's threatened wilderness. Our goal is not just  
10 to preserve a few thousand acres but millions and  
11 millions throughout our country. And this is what the  
12 voters of America are believing. And you farmers, you  
13 are only about -- you are less than three percent now.  
14 You can come to these public meetings and plead, and it  
15 isn't going to do you a bit of good. You're outvoted.

16 One thing you can do, talk to your friends  
17 and neighbors, and say look, the Libertarians are  
18 trying to get you the same kind of freedom our fathers  
19 promised us. We can do it.

20 MR. BRANDT: Thank you, Mr. Tuna.  
21 Okay. Jenna Olsen, Susan -- Let me go through  
22 several. Susan Hern. Susan Hern still here? Patrick  
23 Kelly?

24 AUDIENCE MEMBER: I'll take her  
25 place.

142

1 MR. BRANDT: Okay. Patrick Kelly.  
2 MR. KELLY: Here.  
3 MR. BRANDT: Okay, so you're here.  
4 Okay.

5 MR. KELLY: Am I last?  
6 MR. BRANDT: No, you're not last.  
7 You've got probably another 25 after that.

8 AUDIENCE MEMBER: That's kind of  
9 like, are we there yet?

10 MR. BRANDT: Ms. Olsen, welcome.

11 MS. OLSEN: Hi, my name is Jenna  
12 Olsen, I'm with the Environmental Water Caucus,  
13 statewide coalition of environmental fishing and  
14 community groups.

15 I wanted to say that the environmental  
16 community is not pursuing sending California back to  
17 pre-European state. Instead, we support what the  
18 CALPED document proposes, which is a very modest  
19 restoration of critical and strategic habitat that once  
20 existed here in California.

21 We've lost 95 percent of our wetlands, 99  
22 percent of our grass lands, salmon and steelhead  
23 populations are down to one percent to five percent of  
24 their former populations.

25 We recognize that we have more than

143

1 fourteen hundred major dams in California with a  
2 combined capacity of forty-two million acre feet. The  
3 dams that are suggested for study for removal are dams  
4 that have outlived their purposefulness and do block  
5 passage to critical salmon and steelhead habitat.

6 The environmental community is committed to  
7 meeting the water needs of the environment, farms,  
8 family and industry, and put together a report talking  
9 about how to do that.

10 I do wonder how many people who have urged  
11 more surface storage in the CALPED document here  
12 tonight know how much water would be made available by  
13 these new dams and at what cost? And how many of these  
14 people would want to pay for these dams in full.

15 CALPED'S own studies show that building the  
16 maximum proposed surface storage would yield at the  
17 most four hundred thousand to eight hundred thousand  
18 acre feet of water.

19 Compare that to these figures. Improved  
20 irrigation efficiency in the state could bring 1.7  
21 million acre feet of water. Fully implementing the  
22 urban best management practices could bring 1.5 million  
23 acre feet of water.

24 Changing the way urban landscapes look  
25 could yield 1.4 million acre feet of water.

144

1 I also wanted to address the misleading  
2 numbers quoted from Bulletin 168, that 46 percent of  
3 the water in the state is used for environmental  
4 purposes.

5 First, that figure includes water dedicated  
6 to flood control. Secondly, these percentages include  
7 the flows of north coast rivers, which are quite high  
8 and are not relative to the controversies over  
9 ecosystem restoration and water development in the  
10 Central Valley. The percentages of environmental, ag,  
11 and urban water use in the Central Valley watershed  
12 would look quite different.

13 And third, DWR defines environmental waters  
14 use as the sum of legal environmental requirements.  
15 This could double count multiple in-stream flow  
16 requirements, and also does not take into account water  
17 used by the environment, which could then be made  
18 available to other users.

19 MR. BRANDT: Ms. Olsen, your time is  
20 up.

21 MS. OLSEN: Thank you.

22 MR. BRANDT: So -- thank you. Okay.  
23 You know, I think I'm going to say, since Sue Hern is  
24 not here to say you're her representative --

25 MR. MERZ: Well, I'm John Merz, and

145

1 document, an EIR must, quote, the growth-inducing  
2 impacts of the proposed project must be addressed in  
3 detail."

4 And I didn't find that the twelve-hundred  
5 page document, current document, has addressed it.  
6 Maybe it's given a couple of paragraphs to that. And  
7 the reason I would like to see this address is I think  
8 this is one of the crucial problems.

9 What is the force behind CALPED are the  
10 water users from the San Francisco Bay Area southward.  
11 They are the force behind CALPED. They are running out  
12 of water, and they are running out of water because of  
13 growth. So any new water that we send down there is a  
14 growth inducement. And it is also a means by which can  
15 we can control growth. If we don't send water down  
16 there, we won't have growth.

17 Environmentalists are not the force behind  
18 the ecosystem restoration projects. It is the  
19 municipal water districts, the ag water districts in  
20 the south, which are trying to remove ecosystem  
21 problems in order for them to get water from the south,  
22 or from us in the north.

23 There's another thing I would like to say.  
24 If we take all of this water out of the Sacramento  
25 River and put it into these off-stream storage

147

1 I'm Chair of the Board of Directors of the Sacramento  
2 River Preservation Trust, and Susan is on our Board of  
3 Directors.

4 MR. BRANDT: Okay. Give me a  
5 second, let me just find out how many more people are  
6 here. We've got Patrick Kelly. Dennis Fox, is he  
7 still here? Okay. John Luvaas? Okay. Linda Cole?  
8 Okay. Natalie Wight? Okay. Wow. Ed McLaughlin, they  
9 are staying around. Okay. Yep.

10 I think I'm going to need -- I mean I  
11 really think we're going to need to put you at the end  
12 if you want to do that. If you want to fill out a  
13 card, we will be happy to hear from you. We will  
14 stay.

15 MR. MERZ: Not going to let tell my  
16 John Cash joke?

17 MR. BRANDT: Probably not.

18 MR. MERZ: No?

19 MR. BRANDT: But we will look  
20 forward to it right at the end.

21 MR. MERZ: All right. Thank you.

22 MR. BRANDT: So we will look forward  
23 to you. Mr. Kelly?

24 MR. KELLY: I would like to give you  
25 something out of SEQUA. And this is in a SEQUA

146

1 facilities, we're not going to have any water left in  
2 the Sacramento River. I think the plan is, been  
3 proposed, take about 60 percent of the water out of the  
4 Sacramento River at certain times of the year.

5 So we will not have -- that water creates  
6 this meander belt. And this is a project of CALPED to  
7 create this meander belt, but we're not going to have  
8 the water which will create the meander. That's  
9 enough. Thank you.

10 MR. BRANDT: Thank you, Mr. Kelly.  
11 Dennis Fox. Let's come on up here. Let's start moving  
12 up here so we can get this done. Because every minute  
13 we wait for you and everyone else. John Luvaas, Linda  
14 Cole. Why don't you come on up and move into these  
15 front seats so we get moving. Welcome.

16 MR. FOX: Yes, I'm Dennis Fox --

17 MR. BRANDT: Mr. Fox.

18 MR. FOX: -- I'm going to talk about  
19 conservation is there. New construction may be nice,  
20 but it may be seen as a magic bullet. Therefore, you  
21 will not have conservation in the people's mind as  
22 being a worthwhile endeavor.

23 For example, in Los Angeles, most of the  
24 water is going to landscapes, and the water is also  
25 being -- not being -- is reclaimed water is going to

148

1 the ocean. It could be better off going to the power  
2 plants which are being cited in the lower San Joaquin  
3 Valley. Six of them are going in Kern County, and they  
4 are being watered with excess water that have, coming  
5 from up here.

6 It should be looked at to see how much is  
7 excess water, how many agencies are down there are  
8 actually changing federal water, or state water into  
9 federal water, et cetera. These power plants are for  
10 Los Angeles. There is also some power plants on the --  
11 another 18 of them are going in around the state,  
12 several on the Sacramento River, and produce heat,  
13 which is a stressor. Also, that water, there are no  
14 screens. It should be looked at. Perhaps to mitigate  
15 that could be encouraged to move those plants to this  
16 location to have hot water for the rice fields, or on  
17 to the aqueduct, and it would be something mitigatable.

18 I would also believe that the water should  
19 be looked at down there. Another urban thing is that  
20 in the southern valley in many places, Fresno,  
21 Bakersfield, pays for the ag water, this discourages  
22 conservation.

23 I would like to say finally, also, Trinity  
24 County should be brought back in. Arizona bridges  
25 should be put on the levies to avoid catastrophic

149

1 floods. The dams should be rectified to where they  
2 could be at full capacity. Earthen dams should also  
3 have a spillway. Some don't.

4 Finally, we should look at taxes to fund  
5 these things, such as taxes on water transfers, and  
6 on -- taxes on basin pumping, and to equalize it with  
7 ground water with surface water price to look at.

8 There isn't hardly any covering of air  
9 quality in the document. Social Justice is not  
10 covered. And finally, I would think that you should  
11 think about another thing, and that is, stop the  
12 vulcanization, that more melding of the program. That  
13 way you should have maybe even a little weekly  
14 newspaper for just two pages, so that you people can  
15 read with all the rest what other elements are doing as  
16 you get your frequent flier miles.

17 MR. BRANDT: Mr. Fox, thank you.  
18 John Luvaas. And then it's going to be Linda Cole and  
19 Natalie Wight. Come on up so you're right up here.  
20 Welcome, Mr. Luvaas.

21 MR. LUYAAS: Thank you. Good  
22 evening. As a local resident, I knew the location of  
23 the water faucet so I ducked in the wrong door and  
24 started filling out a card about an hour after everyone  
25 else did. Thank you for your efforts and being with us

150

1 and hearing our local viewpoints.

2 Mostly you've heard tonight from rural  
3 interests, farmers, and agricultural irrigation  
4 districts. I'm an urban residents myself, as urban as  
5 Chico is.

6 I was really disappointed to hear the  
7 efforts that were made tonight by many to pit farmers  
8 against environmentalists. I think that's extremely  
9 unfortunate. Those of us in the environmental  
10 community are trying to conserve what little remains,  
11 one to ten percent of water-related habitats and  
12 species in California.

13 It seems to me that with that little  
14 remaining, it's hardly fair to pick on those that are  
15 trying to hang on to that little tiny bit, when  
16 agriculture and urbanization has destroyed the rest of  
17 it.

18 Farmers depend on a healthy environment,  
19 perhaps more than just about anybody else in the State  
20 of California. And so they really ought to be working  
21 together with the rest of us to try to resolve these  
22 problems without taking out scapegoats.

23 For reasons that I don't understand, I  
24 don't know the politics of it, a lot of rural users  
25 have obviously been pumped up to push hard for dams and

151

1 off-site storage, and I heard almost no mention from  
2 the agricultural community about conservation.

3 I for one believe very strongly that there  
4 is room for greater conservation by everybody. And I'm  
5 not saying that farmers haven't done a good deal. Many  
6 of them obviously have. There is more that can be  
7 done.

8 But there are some things that I think have  
9 not been emphasized in the discussion tonight. And I  
10 don't think it's just farmers that need to do the  
11 conserving. I think that there is too little emphasis  
12 on urban water conservation. I live in a neighborhood  
13 where a -- a rare neighborhood, where we are developing  
14 a water conservation plan. We are eliminating lawns,  
15 except for one big one, for 25 residents -- 25 homes.

16 It's time we in California stop trying to  
17 make a semi-arid, semi-desert environment look like the  
18 lawns of England that many of our forebearers came  
19 from. We can't do that and live with the growing  
20 numbers of people in this state.

21 We're going to have to change life styles  
22 in California to accommodate this growing population  
23 and still maintain healthy agriculture.

24 Another point that hasn't been looked at  
25 adequately, I think, is the cost of dams and

152



1 off-site -- off-stream storage, if that's going to be  
2 done. I haven't heard mention from irrigation  
3 districts of a willingness to fund those costs, and I  
4 don't know that the taxpayers are all that excited  
5 about funding further off-site -- further storage of  
6 water.

7 MR. BRANDT: Thank you.

8 MR. LUVAAS: Yes. Thank you.

9 MR. BRANDT: Mr. Luvaas, thank you  
10 for your time. If you have further comments, you're  
11 always welcome to submit written comments. Linda  
12 Cole? Is Linda Cole here? I could hear that right.  
13 Natalie Wight is here, right? And how about Ed  
14 McLaughlin? Did I see you? And Donna Young after  
15 that. Welcome, Ms. Cole.

16 MS. COLE: I'm speaking here tonight  
17 for myself. I'm a farmer. You'll be getting comments  
18 from Valley Water Protection association that are  
19 slightly different. I told someone as I turned in my  
20 card, if you would just rewrite the issues that I have  
21 a problem with, I won't turn the card in. But that  
22 didn't fly.

23 So I'm going to give you just cliff notes,  
24 because many of the things that I would have said have  
25 been covered.

153

1 One of my first issues is the danger or the  
2 risk that will be incurred by California from  
3 separating demand growth from visibility of supply  
4 through water transfers and watering marketing has not  
5 been identified in this document. The idea that the  
6 best planning in the world will not give reliable  
7 water, if an EIR document does not have to disclose  
8 firm water supply. And as soon as they can point to  
9 water marketing, flexible water, then that assurance is  
10 gone, because all around the state, developers, EIRs  
11 will be pointing to the same flexible water.

12 Not only that, but the source areas for  
13 this water will no longer have reliable numbers to do  
14 their own safe planning. This is hugely significant as  
15 we go into the future, and it has been totally ignored  
16 in your document.

17 The second thing that I'd like to point out  
18 is your economic study is entirely inadequate. It is a  
19 wonderful study using existing models for easily  
20 measurable information, but it's only look at areas  
21 that will receive the water. It is ignoring all the  
22 ideas that are called Externalities. That's quality of  
23 life. That's the environment from this area. That's  
24 the cost of risk. That's air quality. That's the  
25 additional infrastructure that is going to be required

154

1 in areas that are receiving the water.

2 And finally, I'd like to respond to the  
3 assurances that Mike Heaton gave us, that we have  
4 assurances about our water rights, and that if you sell  
5 or transfer water, you'll be able to bring that back.  
6 We have seen what droughts and critical mismatch of  
7 water supplies does. That brings the governor's  
8 statement that we're going into a water bank, that  
9 suspends local control. That changes the whole water  
10 picture. And the idea that the document will do  
11 site-specific EIRs is not consistent with the comments  
12 in the document that said, "If the problematic is  
13 deemed adequate by the same agencies that write the  
14 program, then they will just go into consultation  
15 instead of doing an EIR for the site project.

16 MR. BRANDT: Thank you, Ms. Cole.

17 MS. COLE: Thank you.

18 MR. BRANDT: Natalie Wight. Ed  
19 McLaughlin, why don't you come on up so we're ready to  
20 go right after Natalie is done. And then Donna Young?  
21 Is Donna Young here?

22 MS. YOUNG: Here.

23 MR. BRANDT: You're right close?  
24 Good. Ms. White, welcome.

25 MS. WIGHT: Hi, you guys. It's

155

1 Natalie Wight, W-i-g-h-t.

2 MR. BRANDT: Oh, sorry.

3 MS. WIGHT: That's okay.

4 MR. BRANDT: Late night. Welcome.

5 MS. WIGHT: I'm a biology graduate  
6 student at Chico State, and I teach a human physiology  
7 lab, and I also teach a general biology lab. So I  
8 basically teach the students at Chico State to love,  
9 not only their body and how to take care of it, but  
10 their environment and how to take care of it. It's  
11 actually really easy to integrate the two. And today I  
12 just put a little something together for you guys,  
13 listening to all the stuff that's been going on.

14 In order to describe the future of our  
15 water in California, which is probably one of the most  
16 important issues in the country right now, we've heard  
17 terms like viability, reality, sustainability, used by  
18 all the representatives that we've seen today.

19 Many of the local farmers have referred  
20 several times to the importance of people as an  
21 important resource. Many of the environmentalists that  
22 I hear everyday in their views, some of them are the  
23 most anthropocentric (phonetically) people I have ever  
24 met, and always consider people in their views.

25 I just really wonder if there are other

156

1 farmers out there that truly believe that  
2 environmentalists, biologists don't have the best  
3 interests of humans in mind? Do they really believe  
4 that.

5 Scientists consider the realistic viability  
6 of an unhealthy, unrestored watershed, trying to  
7 sustain our growing population. Not as an  
8 environmentalist, not as a farmer, just as a biologist  
9 stating the facts, it just can't work.

10 It's not hard to see that our  
11 environmentalists, farmers, government agencies, et  
12 cetera, we are all sincerely working for a common  
13 goal. The health of our watersheds and our ecosystems,  
14 and the health of our families, my sisters, my kids, my  
15 kitties, we are all one and the same. We need to  
16 create an honest, educated channel of compromise. We  
17 both need to compromise.

18 As for the positive and negative effects of  
19 off-stream storage, I see them both. I see them both,  
20 but creating a reservoir, saddle dams, however many  
21 intermittent and permanent streams, that is not  
22 something you rush. I'm glad you guys are taking your  
23 time. That is something that needs a lot of work and a  
24 lot of research. And take your time creating them, so  
25 thank you. Thank you, Ms. Wight. Mr. McLaughlin, come

157

1 else recognize past project flaws, in the Oroville  
2 project, the Shasta dam project. Farmers have even had  
3 to bear the consequences of some of those flaws;  
4 erosion, seepage. And so we recognize those. And I  
5 think with the technology nowadays to put a man on the  
6 moon, that we can deal with a lot of these issues and  
7 still build dams and off-stream storage to take our  
8 two-thirds water that falls in the northstate and  
9 deliver to the three-quarters in the southstate without  
10 impacting the people in the middle of the state, the  
11 Delta specifically, adversely.

12 Frequently, the only benefit they talk  
13 about from surface water or any type of water storage,  
14 is the benefits to whoever gets the water. But we see  
15 a lot of the benefits from the existing projects.  
16 Flood protection, recreation, water for a growing  
17 economy, everybody wants to take credit in the state  
18 for a better economy, growing, growing, the best state  
19 in the nation.

20 Well, water is the reason we're there. And  
21 because past legislative leaders, farmers included, had  
22 the foresight and fortitude to make tough decisions,  
23 build projects that weren't totally financially viable  
24 when they were built, but have turned out to be a great  
25 asset to this state. And I hope that the CALFED people

158

1 on up. And then we've got Donna Young and is Sarah  
2 Dahl still here?

3 MR. McLAUGHLIN: Well, I want to  
4 thank you here. I kind of consider you sacrificial  
5 lambs. I used to be interested in water for about ten  
6 or 12 years, and I had a full head of dark hair about  
7 ten or 12 years ago, and you can see it's gone, so  
8 there's a lot of head of you. I appreciate you coming  
9 to Chico. I think we're all in this shape because  
10 we've really had a rudderless ship in Sacramento for  
11 the last 30 years, since the state water project was  
12 built. And we've gone on developing and growing in  
13 this state without planning our future. And it  
14 don't -- it overlaps water. It's roads, it's schools,  
15 it's everything else. Unfortunately, you're just  
16 dealing with one of those issues.

17 So I'll quit editorializing and get on with  
18 a couple of points that I want to make. And one is  
19 that I'm really disappointed that surface water storage  
20 don't have a higher priority north and south of the  
21 Delta. South of the Delta it takes some high winter  
22 flows, and getting them through the Delta when it will  
23 the least impact on the endangered species and animals  
24 that are in the Delta.

25 I we -- I think as farmers and everybody

158

1 recognize that and put a higher priority on surface  
2 water storage.

3 And my second point is conjunctive use. I  
4 think it's a band-aid at best, and in my own opinion,  
5 it's a cop out, because it doesn't solve anything. It  
6 temporarily puts water to a permanent area of growth,  
7 such as a new home subdivision or whatever. And what  
8 we're doing is providing water on a temporary basis  
9 when it's going to be an ongoing need.

10 So eventually, we won't just be dealing  
11 with nature's droughts, we're going to be dealing with  
12 a perpetual annual growth-created drought, lack of  
13 allocation of water in urban areas.

14 So I think conjunctive use is a terrible  
15 suggestion, especially with a higher priority than  
16 service storage. I know it's supported by a large  
17 number of water districts because a lot of them have an  
18 over-appropriated water right, were able to sell to the  
19 water bank, and I think that's one of the areas you  
20 should be looking for water to solve some of the Delta  
21 problems is people that had excess surface water to  
22 sell during the drought. Thank you.

23 MR. BRANDT: Thank you, Mr.  
24 McLaughlin. And Sarah Dahl and Henry Rodegerdts. Okay.  
25 Well, it's really -- anyway, welcome. Sorry. Ms.

158

1 Young.

2 MS. YOUNG: Okay. Donna Young. I'm  
3 from southwestern Tehama County, and I am an organic  
4 diversified farmer. So there is none of you up there  
5 who are environmentalists, or any of you who are in the  
6 audience who are environmentalists, who don't have at  
7 least as much concerns as I have.

8 We have already lost, in El Dorado County,  
9 the original family farmstead from the encroachment of  
10 water needs for the state. Fine, we gave it up, we  
11 relocate over here, and now we're losing it all over  
12 again, even though everything I do on my farm and for  
13 the various farmers -- I work for several farmers  
14 part-time on -- for organic farmers and ranchers in the  
15 Black Butte area. And we all are doing everything we  
16 can to preserve water, to improve -- increase water  
17 life habitat. A lot of effort we put through to these,  
18 and you guys keep thinking that because Southern  
19 California, or the Bay Area, or Sacramento means people  
20 could have water, that you can keep taking it from us.  
21 Our ground water will disappear, and if we don't have  
22 ground water, they won't have any water.

23 I don't have any facts and figures. All I  
24 know is that for 38 years my family has been working  
25 with various government, federal and state and local

161

1 My name is Sarah Dahl. I am a member of the Board of  
2 Directors of the Butte County Farm Bureau, and a member  
3 of the Board of Directors of the Chico Chamber of  
4 Commerce. But mostly I'm proud to be a farmer. I was  
5 born and raised in a rice-growing family. Our property  
6 was to the west of Biggs. My husband and I are almond  
7 grovers now in the Durham area, and we have also been  
8 rice grovers for the last 18 years.

9 To say that CALFED concerns me is an  
10 understatement. I think that we can all agree that the  
11 Bay-Delta needs help, but it is the responsibility of  
12 every citizen of this state, not just the people of the  
13 northstate, to solve this problem. And every one of  
14 those citizens needs to assist in the restoration of  
15 that intricate maze of water and land.

16 But in that, it needs to be done and  
17 accomplished in a responsible manner and without dire  
18 financial and emotional results to the people of rural  
19 Northern California.

20 First and foremost should be an emphasis on  
21 water storage. Think of the abundance of water that  
22 rained down upon this state over the last three rain  
23 seasons. If off-stream storage had been in place, we  
24 may not have had a need for these meetings. The water  
25 run-off potential of our state should not be ignored.

163

1 bureaucrats, trying to get the message across that if  
2 you don't take care of the land owners where the water  
3 generates, you won't have any water for anybody  
4 anywhere else.

5 This state is normally mostly desert. You  
6 should have a moratorium. Thirty years ago people were  
7 talking about moratorium on building in various areas  
8 of the state. But they keep building and they keep  
9 stealing the water from the northstate, and it's not  
10 right. You're going to kill the northstate.

11 When you are finished with our water, are  
12 you going to steal it from Southern Oregon? You have  
13 already taken it from Arizona out of the Colorado.

14 Moratoriums have to be imposed on everyone,  
15 not just the farmers, and the ranchers, and the  
16 recreational land owners in the northstate. Everybody  
17 is going to have to give up something in order to make  
18 sure that there is water for my seven-month-old  
19 grandson when he's my age. Thank you.

20 MR. BRANDT: Sarah Dahl, and Mr.  
21 Rodegerdts. Welcome, Ms. Dahl.

22 MS. DAHL: Good evening. It is  
23 still evening; isn't it? Okay.

24 MR. BRANDT: Another hour.

25 MS. DAHL: Still on Wednesday.

162

1 Farmlands set aside to conserve water is  
2 not an equitable answer. Why would it be acceptable to  
3 negatively impact the livelihood of thousands of farm  
4 families and the people and businesses that we  
5 support.

6 It is not all right to systematically  
7 bankrupt the rural communities of this state.  
8 Impacting cultural practices of ag ground adjacent to  
9 permanently idled land for habitat restoration would be  
10 a hurdle for the ag community and some grovers will  
11 eventually not have the strength to leap over that  
12 hurdle. But I question whether or not that may be part  
13 of the hope of some of the proponents of the program as  
14 it stands now.

15 And what about the consumers of this  
16 country that count on our industry to supply them with  
17 wholesome food, and remember the next time you press an  
18 iron to a cotton shirt, it came from a farmer.

19 The implementation of this plan would be  
20 another step towards our nation relying on more  
21 imported food products, with little or no control over  
22 how they cultivate those farm products. Most citizens  
23 are truly not aware of the sweeping impacts of this  
24 process, and they are busy with their families trying  
25 to make a decent life for themselves. They are

164

1 counting on the fact that they will have affordable  
2 food on their table, and water will always flow from  
3 their faucet.

4 Let us try to accomplish both of those  
5 things, but be fair, be decent, and make your decisions  
6 based upon all factors, including the financial future  
7 of this state. Thank you.

8 MR. BRANDT: Thank you, Mr. Dahl.  
9 Come on up. Let me just ask while he's walking up, is  
10 there anyone else that has not spoken? Could I ask you  
11 to just fill out just a card, so we have a speaker card  
12 for you as well? So we've got one more speaker?  
13 Anybody else? Okay, we've got two more speakers then.  
14 Welcome, Mr. Rodegerdts.

15 MR. RODEGERDTS: Thank you, my name  
16 is Henry Rodegerdts. I am associated with the legal  
17 division of the California Farm Bureau Federation. I  
18 want to compliment the panel for their  
19 steadfastness and apologize to them, because earlier in  
20 the evening I suggested to several people in the  
21 audience that come 9:00 o'clock, you wouldn't be  
22 staying much beyond that, and I was dead wrong.

23 Some speakers here and elsewhere during  
24 this public hearing process have suggested that CALFED  
25 has lost its way, and that the current program will not

165

1 legally deficient document. It will not withstand a  
2 legal challenge, if it does not go further in its  
3 analysis about significant agricultural land loss is to  
4 be lessened through mitigation and a more carefully  
5 integrated -- having it more carefully integrated with  
6 the various program elements. Thank you.

7 MR. BRANDT: Thank you, Mr.  
8 Rodegerdts.

9 Okay. We've got -- okay, apparently we've  
10 got two more speakers. Bryce Lundberg, welcome.

11 MR. LUNDBERG: Bryce Lundberg. I'm  
12 on the Board of Lundberg Family Farms and work there.  
13 I also farm with my brother Eric Lundberg. And I  
14 cannot support this CALFED program or any program that  
15 does not promote the building of new water projects. I  
16 cannot believe that the CALFED program has done so  
17 little to promote what we really need in this state is  
18 more water storage.

19 If it weren't for those visionaries of the  
20 thirties, forties, through the sixties who talked a  
21 little and did a lot, we wouldn't have very much water  
22 storage or usable water. Now we have water folks like  
23 CALFED who talk a lot and do very little.

24 We have at least five hundred thousand  
25 people added to California every year, and we've yet to

167

1 in fact permit us all to get better together.

2 I want to suggest another dimension to this  
3 loss of the big picture. As you move towards  
4 implementation, don't forget you have to get past the  
5 legal challenges that are waiting out there. SEQUA's  
6 goal is to create an informational document. The  
7 audience may not like the message, but that's not the  
8 crucial issue when you are attempting to get past  
9 potential legal challenges.

10 The loss of agricultural land is a  
11 significant environmental impact. The loss projected  
12 by CALFED is unacceptable to the agricultural  
13 community.

14 Nonetheless, the document does not analyze  
15 in its outline in great detail of the goals of the  
16 various program elements, levy restoration, water  
17 quality, habitat restoration, and analyzing these  
18 elements, and how they are going to achieve these  
19 elemental goals. It doesn't tell us how it's going to  
20 at the same time minimize a loss of agricultural land.

21 Rather, it is simply a given that  
22 agriculture will give up hundreds of thousands of acres  
23 of lands to achieve the elemental goals of the CALFED  
24 program.

25 This analysis omission makes the document a

166

1 do very much to prepare for them. It seems to me that  
2 this program sets up winners and loser, and I can see  
3 that CALFED'S solution sets up Northern California as a  
4 loser.

5 Why can't we be more creative and set up  
6 win-win programs for the future of California and  
7 California water. We've had -- CALFED has had a lot of  
8 time, and it's had a lot of money to promote and come  
9 up with solutions, and it seems to me we haven't had a  
10 lot of creative solutions.

11 And as a farmer, I'm not against protecting  
12 endangered species, I'm very much for that. But I am  
13 also in favor of protecting farmers. Farmers are an  
14 endangered resource in California that has been  
15 shrinking steadily.

16 We need CALFED to recognize the importance  
17 and urgency of protecting California farmer habitat.  
18 If you look at how many, I would call them farmer  
19 snail, or young farmers can return to their farms, that  
20 amount is actually quite small.

21 When I think of my daughter wanting to  
22 return to the farm and possibly my two sons, who really  
23 don't know if they are going to return to the farm, I  
24 think will they have enough resources to farm with. We  
25 can flex and use fewer and safer forms of materials.

168

1 We can grow organically in California, but we can't  
2 farm without water.

3 Our farm has been certified as a salmon  
4 safe farm by the Pacific Rivers Council. But I can't  
5 say that this CALFED program could be considered a  
6 farmer safe program.

7 Anyway, my three points would be we need  
8 more storage. Great solutions that are win-win that  
9 don't produce winners in the south and losers in the  
10 north and do no harm with farms. Thank you.

11 MR. BRANDT: Thank you, Mr.  
12 Lundberg. We have one more speaker. There he is. We  
13 promised you we would stay, and now do we get to hear  
14 your joke?

15 MR. MERZ: It's a little subtle.  
16 MR. BRANDT: Okay.  
17 MR. MERZ: Remember the song about  
18 Sue?  
19 MR. BRANDT: John Mentz, welcome.  
20 Mentz?  
21 MR. MERZ: Merz, actually.  
22 MR. BRANDT: Merz.  
23 MR. MERZ: There's no T in there.  
24 MR. BRANDT: I'll get it yet.  
25 MR. MERZ: Everybody always puts it

169

1 within the human psyche to resist top down.  
2 So you've kind of got a problem to begin  
3 with, and I wish you well on that. I guess what it  
4 comes down to make whatever you do as user friendly as  
5 possible. That means you really do need to speak to  
6 the political realities of the system as we all deal  
7 with.

8 Having said that, the Trust has been a  
9 participant in the 1986 process, Senate Bill 1986  
10 process since it began in 1986. We are strongly in  
11 favor of the limited meander bill and what appears to  
12 be the embracement of the 1986 program by CALFED. We  
13 encourage you to continue to embrace it, as it  
14 continues to evolve.

15 At the same time, we do believe that one of  
16 the major areas where we are missing the boat is in the  
17 area of conservation. And Jenna from the Sierra Club  
18 mentioned the number of issues. I will just point out  
19 that in the City of Chico we don't meter, unless it's  
20 new construction, because that's required by state law.

21 But I live in a house. I rent, but it's a  
22 flat rate. I can go out there and run my hose all day  
23 long, and guess what, I'll pay the same, whatever I  
24 pay, and it's not a lot. Sure not a lot compared to  
25 what they pay in LA. That's not the way it should be.

171

1 in there. I don't know why.  
2 MR. BRANDT: Thank you.  
3 MR. MERZ: I'm John Merz, Chair of  
4 the Board of the Sacramento River Preservation Trust.  
5 Chair of the Board of the Sacramento River Preservation  
6 Trust. I don't know how you do what you do. I sure  
7 continued do it.

8 I'm sorry if I disrupted your protocol for  
9 the evening. Sue wasn't aware she was supposed to  
10 write me a note. We quit doing that I long time ago,  
11 but anyway, here I am.

12 The evening is getting late, and it's been  
13 an interesting evening, actually, just sitting back and  
14 listening to what people have to say. It is a very  
15 large document. And one of the -- one of the true  
16 problems here is there has been an ongoing concern  
17 about top down management of any type. And that I  
18 think is maybe one of things that underlies a lot of  
19 people's concerns. They really don't want to be told  
20 what to do, because they feel that they have a pretty  
21 good handle on maybe what needs to be done.

22 Now, we may have, of course, disagreements  
23 at the local level about how best to do that. But  
24 there is definitely, I think, this inherent, I don't  
25 know if it's just American, or perhaps it just resides

170

1 Basically, all of us should be paying what  
2 the true costs of delivering that water are, and we're  
3 a long way from doing that. And until we address those  
4 issues, issues like surface water storage, additional  
5 surface storage quite frankly fall on deaf ears, at  
6 least in the conservation community that I'm aware of.

7 Having said that, the thing I'm most  
8 concerned about with regards to surface water storage,  
9 other than maybe a whole lot more cattle ponds, stock  
10 ponds that we have, just within the upper watersheds  
11 and other things of that nature, is the fact that we  
12 don't understand the science of high flows and the role  
13 they play. And we need to pay attention to that. It's  
14 just part of this whole learning process that we're all  
15 involved in. Thank you.

16 MR. BRANDT: Thank you. Unless there  
17 is anybody else, I think that brings to a close, and  
18 seeing nobody else, I think that closes the public  
19 hearing. Thank you for coming.

(Hearing closed at 11:25 p.m.)

172

172

1 STATE OF CALIFORNIA )  
 2 ) ss.  
 3 COUNTY OF SHASTA )  
 4

5 I, GAIL BLANKENSHIP, Certified Shorthand Reporter  
 6 of the State of California, do hereby certify:

7 That said foregoing proceedings were taken before  
 8 me at the time and place set forth, and were taken down  
 9 by me in shorthand and thereafter reduced to  
 10 computerized transcription under my direction and  
 11 supervision. I hereby certify the foregoing  
 12 proceedings is a full, true and correct transcript.

13 I further certify that I am not of counsel or  
 14 attorney for any of the parties hereto, or in any way  
 15 interested in the event of this cause, and that I am  
 16 not related to any of the parties hereto.

17 WITNESS MY HAND this 21st day of September, 1999.

18  
 19 GAIL BLANKENSHIP, RPR, CSR  
 20 License No. 3968  
 21 State of California  
 22  
 23  
 24  
 25